

ACTS OF THE TWENTY-THIRD CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, 1833, and ended on the thirtieth day of June, 1834.

ANDREW JACKSON, President; M. VAN BUREN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives, until Monday, the second day of June, one thousand eight hundred and thirty-four, and JOHN BELL for the remainder of the session.

STATUTE I.

Jan. 24, 1834.

CHAP. I.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-four.*

Appropriations
for the naval
service.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-four, in addition to the unexpended balances of former appropriations for similar objects, viz :

Officers, &c.

For pay and subsistence of the officers of the navy, and pay of seamen, one million four hundred and eighty-seven thousand two hundred and forty-four dollars and twenty-one cents.

Superintendents, &c.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-one thousand one hundred and eighty dollars.

Provisions.

For provisions, four hundred and fifty thousand dollars.

Repairs, &c.

For the repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, five hundred and ninety thousand dollars.

Medicines, &c.

For medicines and surgical instruments, hospital stores and other expenses on account of the sick, forty thousand dollars.

Navy yards at
Portsmouth ;
Charlestown ;

For the improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty thousand seven hundred dollars.

For the improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, eighty-six thousand three hundred dollars.

Brooklyn ;

For the improvement and necessary repairs of the navy yard at Brooklyn, New York, fifty-seven thousand five hundred dollars.

Philadelphia ;

For the improvement and necessary repairs of the navy yard at Philadelphia, six thousand five hundred and fifty dollars.

Washington ;

For the improvement and necessary repairs of the navy yard at Washington, twenty-nine thousand five hundred dollars.

Gosport ;

For the improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and eight thousand two hundred and fifty dollars.

Pensacola.

For the improvement and necessary repairs of the navy yard at Pensacola, twenty-six thousand dollars.

Ordnance, &c.

For ordnance and ordnance stores, ten thousand dollars.

For defraying the expenses that may accrue for the following purposes, Miscellaneous.
 viz :

For freight and transportation of materials and stores of every description: for wharfage and dockage, storage and rent, travelling expenses of officers and transportation of seamen, house rent, chamber money, and fuel and candles, to officers other than those attached to navy yards and stations, and for officers in sick quarters where there is no hospital, and for funeral expenses; for commissions, clerk hire and office rent, stationery and fuel, to navy agents; for premiums and incidental expenses of recruiting, for apprehending deserters; for compensation to judge advocates; for per diem allowances to persons attending courts martial and courts of inquiry, and to officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts and mathematical and nautical instruments, chronometers, models and drawings; for purchase and repair of fire and steam engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, foundries, and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built, and for no other purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not herein-before enumerated, Contingencies.
 four thousand dollars.

For pay of the officers, non-commissioned officers, musicians and privates, and for subsistence of the officers of [the] marine corps, including arrearages and increased pay under the act, second of March, one thousand eight hundred and thirty-three, one hundred and thirty-five thousand eight hundred and eighty dollars and twenty-five cents. Marine corps.
March 2, 1833,
ch. 68.

For subsistence of non-commissioned officers, musicians and privates, and washerwomen of said corps serving on shore, nineteen thousand two hundred and thirty-one dollars and eighty cents. Subsistence.

For clothing, twenty-nine thousand three hundred and fifteen dollars. Clothing.

For fuel, nine thousand and ninety-eight dollars. Fuel.

For contingent expenses, including arrearages, nineteen thousand dollars. Contingencies.

For transportation and recruiting, five thousand dollars. Transportation.

For medicines, hospital stores, and surgical instruments, for officers and men serving on shore, two thousand three hundred and sixty-nine dollars and seventy-one cents. Medicines, &c.

For balance due Lieutenant Colonel Anderson, nine hundred and fifty-four dollars and twenty-two cents. Balance to Col.
Anderson.

For the erection of barracks for the marines stationed at the navy yard, Brooklyn, New York, thirty thousand dollars. Barracks at
Brooklyn.

For carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, five thousand dollars. Suppression of
the slave trade.

That so much of the sums appropriated by the act of the twenty-eighth May, eighteen hundred and thirty, for the relief of Alexander Claxton, as still remains due and unpaid, and which has been carried to the credit of the surplus fund, shall be, and the same is hereby, re-appropriated. Re-appropriation to Alexander
Claxton.
1830, ch. 140.

APPROVED, January 24, 1834.

STATUTE I.

Feb. 11, 1834.

CHAP. X.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-four.*

Appropriations
for support of
government.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

Congress.

For pay and mileage of the members of Congress, and delegates, five hundred and fifty-five thousand four hundred and eighty dollars.

For pay of the officers and clerks of the Senate and House of Representatives, thirty-two thousand nine hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, thirty-two thousand five hundred and fifty dollars.

For stationery, fuel, printing, and all other contingent and incidental expenses of the House of Representatives, one hundred and fifty thousand dollars.

The said two sums last mentioned, to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

APPROVED, February 11, 1834.

STATUTE I.

Feb. 26, 1834.

CHAP. XI.—*An Act further to continue in force "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad into and within the District of Columbia."*

Act of March
2, 1831, ch. 85.
Period of con-
struction ex-
tended.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the period limited and allowed to the Baltimore and Ohio Railroad Company, within which they are required by the fifth section of the act entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad, into and within the District of Columbia," approved second March, one thousand eight hundred and thirty-one, to commence the road, and complete one set of tracks, be, and the same is hereby extended, and the said act shall remain in force, and all the rights and privileges thereby granted shall be vested in said company: Provided, They shall commence the said lateral road within one year, and complete the same, with one set of tracks, within four years from the passage of this act.

Proviso.

APPROVED, February 26, 1834.

STATUTE I.

Feb. 27, 1834.

CHAP. XV.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations
for pensioners.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-four :

June 7, 1832,
ch. 126.

For the revolutionary pensioners under the several acts prior to that of the seventh of June, one thousand eight hundred and thirty-two, in addition to an unexpended balance of one hundred and forty-four thousand six hundred and twenty-three dollars and twenty-one cents, the sum of nine hundred and one thousand six hundred and fifty-six dollars.

For the invalid pensioners under the various laws, in addition to the unexpended balance of one thousand eight hundred and forty-nine dol-

lars and seventy cents, the sum of three hundred and six thousand one hundred and twenty-five dollars.

For pensions to widows and orphans, seven thousand five hundred dollars.

APPROVED, February 27, 1834.

STATUTE I.

CHAP. XVI.—*An Act to change the times for commencing the sessions of the courts of the United States in the district of Delaware.*

March 24, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sessions of the circuit court and district court of the United States in the district of Delaware, shall commence at the times hereinafter mentioned, instead of the times now appointed by law; that is to say: the sessions of the said circuit court shall commence at Newcastle, on the Tuesday next following the fourth Monday of May, and at Dover on the Tuesday next following the third Monday of October annually; and the sessions of the said district court shall commence at Newcastle on the third Tuesday of June, and second Tuesday of December; and at Dover on the Tuesday next following the third Monday of March, and the Tuesday next following the fourth Monday of September annually; and that no process, recognizance, or bail bond, returnable to the next term of either of said courts shall be avoided, or impaired, or affected by this change as to the commencement of said term; but that all process, bail bonds, and recognizances, returnable to the next term of either of said courts, shall be returnable and returned to the said court next held, according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly, and that all continuances in either of said courts shall be from the last term to the day appointed by this act for the commencement of the next session thereof.

1789, ch. 20, sec. 3.

Sessions of the circuit court to commence at Newcastle, on Tuesday after 4th Monday in May;

Dover, on the Tuesday after 3d Monday in Oct.

District court, at Newcastle, on 3d Tuesday in June and the 2d Tuesday in Dec. Dover, Tuesday after the 3d Monday, March, and after 4th in September.

Return of process, &c.

APPROVED, March 24, 1834.

STATUTE I.

CHAP. XII.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-four.*

May 14, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-four, that is to say:

Appropriations for pay of army, &c.

For pay of the army and subsistence of officers, one million three hundred and eighty-one thousand seven hundred and seventy-two dollars, including the sum of ninety-four thousand seven hundred and eighty-six dollars, arrearages of pay and subsistence for the year one thousand eight hundred and thirty-three.

For forage of officers, fifty-nine thousand one hundred and seventy-nine dollars.

For clothing for servants of officers, twenty-four thousand four hundred and fifty dollars.

For subsistence exclusive of that of officers, in addition to an unexpended balance of fifty-five thousand dollars, the sum of three hundred and sixty-one thousand nine hundred dollars.

For clothing of the army, camp, and garrison equipage, cooking utensils and hospital furniture, two hundred and eighty thousand seven hundred and forty-eight dollars.

For payments in lieu of clothing for discharged soldiers for the year eighteen hundred and thirty-four, including an arrearage in eighteen

Pay of army, &c. hundred and thirty-three, estimated for by the pay department, forty-five thousand dollars.

For the medical and hospital department, thirty-six thousand five hundred dollars.

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks and printing; repairing and enlarging barracks, quarters, store-houses, and hospitals at the various posts in the Union; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons; materials for the authorized furniture of the rooms of non-commissioned officers and soldiers, rent of quarters, barracks, and store-houses; postage on public letters; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers employed in the erection of barracks and quarters, and the construction of roads and other constant labour, under an act of Congress of the second March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of escorts to paymasters, hire of labourers, and the interment of deceased non-commissioned officers and soldiers; compensation to extra clerks in the office of the quartermaster general, and in the offices of the quartermasters and assistants at the several posts, and compensation to temporary agents; also, for the horses and equipments which may be required to keep the establishment of the regiment of dragoons complete, three hundred and forty-four thousand dollars.

March 2, 1819,
ch. 45.

For transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase and the points of delivery under contract, to the posts where they are required to be used; of ordnance from the founderies and arsenals to the fortifications and frontier posts, and lead from the western mines to the several arsenals; for transportation of the army, including officers when removing with troops either by land or water; freights and ferriages: the purchase or hire of horses, oxen, mules, carts, wagons, and boats, for transportation of troops and supplies, and for garrison purposes: drayage and cartage at the several posts, hire of teamsters, transportation of funds for the pay department, and the expenses of sailing a public transport between the several posts on the Gulf of Mexico, one hundred and forty-five thousand dollars.

For the allowance to officers for the transportation of their baggage when travelling on duty without troops, and for the per diem to officers on topographical duty, fifty-three thousand dollars.

For contingencies of the army, ten thousand dollars.

For carrying on the works in the city of Savannah, Georgia, twenty-five thousand dollars.

For continuing the repairs and alterations of the barracks and quarters at Baton Rouge, Louisiana, ten thousand dollars.

For erecting officers' quarters at Fort Severn, Annapolis, Maryland, five thousand dollars.

For carrying on the works at Green Bay, Michigan, ten thousand dollars.

For temporary repairs of the barracks at Fort Gibson, Arkansas, five thousand dollars.

For the purchase of land adjoining Fort Sullivan, Eastport, Maine, three thousand three hundred dollars.

For national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-eight thousand four hundred dollars.

For arsenals, one hundred and fifty thousand dollars.

For the arsenal at St. Louis, in addition to the sum embraced in the general appropriation for arsenals, eight thousand five hundred dollars.

For the purchase of five thousand sets of accoutrements for the artillery and infantry regiments, fourteen thousand two hundred and fifty dollars.

Pay of army,
&c.

For the recruiting service, in addition to twenty-nine thousand three hundred and eighty-eight dollars unexpended of a former appropriation, six thousand dollars.

For contingent expenses of the recruiting service, in addition to six thousand and forty-three dollars unexpended of a former appropriation, fourteen thousand dollars.

For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the third auditor, in addition to an unexpended balance in the treasury, three thousand dollars.

To enable the second auditor to close the accounts under the act of third [second] March, eighteen hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, one thousand dollars.

March 2, 1821,
ch. 13.

For the payment of the general and staff officers and six companies of Missouri militia, ordered into service by the governor of that state, in the year eighteen hundred and thirty-two, thirty-five thousand dollars.

For paying any balance which may be due for militia services, in the territory of Michigan, in the late war against Black Hawk and his followers, two thousand dollars.

For the payment of Captain McGeorge's company of Indiana militia, for services performed in the year eighteen hundred and thirty-two, *Provided*, the Secretary of War shall be satisfied that the said company is entitled thereto, the sum of seven hundred dollars.

For finishing gun-racks, and making window shutters to the new arsenal, rebuilding middle water shop, one hundred and ten by fifty feet, and for building a house for steam engine, including a store-room for iron, fifty-two by forty-six feet, at the national armory, Springfield, Massachusetts, twelve thousand two hundred dollars.

For additional machinery and fixtures at the same armory, viz: three water-wheels for grinding musket barrels, six water-wheels and twenty-two forges required in the middle water shop, blast machinery for eleven double forges, and for the purchase of new and improved labour saving machinery, seventeen thousand eight hundred dollars.

For slating roof and rebuilding water-wheel of upper work-shop, renewing and repairing fences on the public ground, and for painting public buildings at the same armory, three thousand five hundred dollars.

For repairing dam, (and removing obstructions in way of,) supplying the water to the rifle factory on the Shenandoah river, at the national armory, Harper's Ferry, Virginia, two thousand dollars.

For the completion of the machinery in the three shops for turning, boring, and stocking muskets; the completion of the canal, furnishing the water power; erecting an annealing shop and proof house; erecting two shops for tempering springs and polishing barrels; erecting two engine houses, and making addition to stocking shops; and for erecting a carpenter's and machine shop, at the same armory, thirty-six thousand one hundred and fourteen dollars and eighty-six cents.

For erecting store-houses for iron and pit coal; repairing paymasters' and clerks' quarters; constructing a river wall, sinking three wells on Camp hill, grading and paving the open spaces between the public shops, and for painting some of the public buildings at the same armory, eight thousand five hundred and eighty-nine dollars and eighty-seven cents.

For the payment of the taxes assessed by the state of Pennsylvania on the United States arsenal on the Schuylkill river, five hundred and sixty-eight dollars and fifty-nine cents.

For the purchase of three acres of land on the Alabama river, and building a warehouse and dock at the Mount Vernon arsenal, in the state of Alabama, one thousand eight hundred dollars and fifty cents.

APPROVED, May 14, 1834.

STATUTE I.

June 7, 1834.

CHAP. XLV.—*An Act to revive and amend "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth of July, eighteen hundred and thirty-two.*

Act of March 2, 1831, ch. 62, and of July 14, 1832, ch. 230, revived.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That an act, entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, eighteen hundred and thirty-two, which said acts expired on the second day of March, eighteen hundred and thirty-four, be, and the same are hereby, revived, and shall continue in force for three years from and after the passage of this act.

Consent of legal representative of deceased surety or co-surety to entitle applicant to relief, &c.

1832, ch. 230.

SEC. 2. *And be it further enacted,* That if any surety, or co-surety, of any debtor who is, or shall become, an applicant for relief under the provisions of the acts recited in the preceding section of this act, shall be dead, the consent of the legal representative or representatives of such deceased surety, or co-surety, shall be received, and entitle the applicant to relief, in like manner as the consent of a living surety, or co-surety, would do by the provisions of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two; and if the surety, or co-surety, of any such debtor shall be absent in parts unknown, or if the consent of the legal representative or representatives of any deceased surety, or co-surety, cannot be obtained, and the property or estate of any such deceased or absent surety, or co-surety, shall not be sufficient to pay the debt due to the United States, and the Secretary of the Treasury shall be satisfied by proof of these facts, he shall be authorized, in all such cases, to grant such relief or discharge as the debtor applying for the same may be entitled to, according to the provisions of the acts which this act is intended to revive and amend, upon the condition that such debtor shall not be discharged thereby from his or her legal liability to such absent surety, or co-surety, or to the estate of such deceased debtor, for any part of the debt due to the United States, which may thereafter be paid by or out of the estate of any such absent or deceased surety, or co-surety.

All discharges heretofore granted declared valid.

SEC. 3. *And be it further enacted,* That all discharges which have heretofore been granted by the Secretary of the Treasury to any principal debtor, with the consent of the legal representative or representatives of any deceased surety, or co-surety, shall be as valid as though such surety or co-surety had been alive, and his or her consent obtained, according to the letter of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two.

Secretary of Treasury may cause satisfaction to be entered, &c.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury shall be authorized to cause satisfaction to be entered upon all judgments against such insolvents as have heretofore been, or may hereafter be, relieved under the provisions of the acts which this act is intended to revive and amend; or under any other and former act of Congress for the relief of persons imprisoned for debts due to the United States: *Provided,* The district judge of the district in which such judgments are on record, shall certify that he is satisfied that the debtor is possessed or entitled to no property liable to be applied to the satisfaction of said judgments, and that the interest of the government does not require that such judgments should remain unsatisfied. In every case of application for such certificate to a judge at his chambers, ten days' notice shall be given to the district attorney for the district, when the application is made.

Proviso.

APPROVED, June 7, 1834.

STATUTE I.

June 18, 1834.

CHAP. XLVI.—*An Act to equalize representation in the territory of Florida, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the counties of Escambia, Jackson, Gadsden, Leon, Jefferson and St. John's, in the territory of Florida, shall each be authorized to elect two members of the legislative council of said territory, as now directed by law; all other counties in said territory shall, respectively, be authorized to elect one member each, in the manner now directed, or which shall hereafter be prescribed by law; and such counties as have not at this time a member of said council, shall be authorized to elect one before the next session thereof, on the first Monday of September next.

Certain counties to elect two, and others one member of the council.

SEC. 2. *And be it further enacted,* That it shall not be lawful for the legislative council to employ more than three clerks, nor to direct the printing the laws of said territory in more than three newspapers, at the public expense.

Employment of clerks and printing of laws restricted.

SEC. 3. *And be it further enacted,* That so much of an act entitled, "An act to provide for the compensation of the officers of the council, and for other purposes," as provides, in paragraph number seven, for the superintending the printing the acts, revising the proof sheets, and the allowance therefor; so much of the said act in paragraph number eight, as provides for stitching said acts, and the allowance therefor; and so much of the act as provides in the sixteenth paragraph for a clerk in the executive office, be and the same is, hereby annulled.

Part of former act annulled.

SEC. 4. *And be it further enacted,* That it shall be the duty of the secretary of the territory to superintend the printing and revision of the laws, and it shall be his duty to send a printed, and not a manuscript copy to the Department of State, and another printed copy to the secretary of the Senate, and clerk of the House of Representatives of the United States, to be laid before Congress; and the amount appropriated by the said legislative council shall not exceed, annually, the sum of seven thousand dollars, including their pay, mileage, printing and incidental expenses.

Secretary of the territory to superintend the printing and revision of laws, &c.

SEC. 5. *And be it further enacted,* That an act entitled "An act to alter and fix permanently the sessions of the superior court of the district of East Florida," be, and the same is hereby, approved.

Appropriation not to exceed \$7000 annually.

Act relating to superior court approved.

SEC. 6. *And be it further enacted,* That the twenty-first section of an act entitled "An act in addition to the several acts now in force, regulating judicial proceedings," passed February fifteen, one thousand eight hundred and thirty-four, be, and the same is hereby, annulled.

Twenty-first section of act of Feb. 15, 1834, [act of Florida,] annulled.

APPROVED, June 18, 1834.

STATUTE I.

June 18, 1834.

CHAP. XLVII.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-four.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and they are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-four, viz:

Appropriations for the Indian department.

For the salary of the commissioner of Indian affairs, three thousand dollars.

Commissioner.

For the salary of the clerks in the office of the commissioner, five thousand dollars.

Clerks.

For compensation to the messenger, seven hundred dollars.

Messenger.

For office contingencies, eight hundred dollars.

Contingencies.

(a) Notes of the acts relating to the territory of Florida, vol. iii. p. 654.

Superintendent and agents.	For pay of the superintendent of Indians affairs at St. Louis, and the several Indian agents, as authorized by law, twenty-six thousand dollars.
Clerk.	For clerk in the office of superintendent of Indian affairs, one thousand dollars.
Sub-agents.	For pay of sub-agents, as allowed by law, sixteen thousand five hundred dollars.
Interpreters, &c.	For pay of interpreters and translators, employed at the several superintendencies and agencies, eighteen thousand eight hundred dollars.
Gun and blacksmiths, &c.	For pay of gun and blacksmiths, and their assistants, employed within the several superintendencies and agencies under the orders of the War Department, six thousand four hundred and eighty dollars.
Presents.	For presents to Indians, as authorized by the act of eighteen hundred and two, fifteen thousand dollars.
Act of 1802, ch. 13, sec. 13.	For the purchase of iron, steel, and coal, and for other expenses attending the gun and blacksmith shops, one thousand four hundred and sixty-five dollars.
Iron, &c.	
Provisions.	For provisions for Indians at the distribution of annuities while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.
Buildings.	For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars.
Contingencies.	For contingencies of the Indian department, twenty thousand dollars.
Holding treaty.	For holding a treaty with the Wyandot tribe of Indians, one thousand dollars.

APPROVED, June 18, 1834.

STATUTE I.

June 19, 1834.

CHAP. LIV.—*An Act to revive the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty. (a)*

Act of May 29, 1830, ch. 208, revived, and extended to those who settled and cultivated land in 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every settler or occupant of the public lands, prior to the passage of this act, who is now in possession, and cultivated any part thereof, in the year one thousand eight hundred and thirty-three, shall be entitled to all the benefits and privileges provided by the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty; and the said act is hereby revived and shall continue in force two years from the passage of this act and no longer.

Choice of quarter sections allowed.

SEC. 2. *And be it further enacted,* That where a person inhabits one quarter section and cultivates another, he shall be permitted to enter the one or the other at his discretion: *Provided,* Such occupant shall designate, within six months from the passage of this act, the quarter section of which he claims the pre-emption under the same.

Settlers on the public lands before 1829 may enter a quarter section at the minimum price.

SEC. 3. *And be it further enacted,* That all persons residing on the public lands, and cultivating the same, prior to the year eighteen hundred and twenty-nine, and who were deprived of the advantages of the law passed on the twenty-ninth May, eighteen hundred and thirty, by the constructions placed on said law by the Secretary of the Treasury, be, and they are hereby authorized to enter, at the minimum price of the government, one quarter section of the public lands, within said land district.

APPROVED, June 19, 1834.

(a) See notes of the acts relating to pre-emption of public lands, vol. iv. p. 420.

STATUTE I.

CHAP. LV.—*An Act further to extend the term of certain pensions chargeable on the privateer pension fund.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the pensions of all widows who now are or have been heretofore in the receipt thereof, under the provision of the act entitled "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the fourth day of March, one thousand eight hundred and fourteen, and the act entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the sixteenth day of April, one thousand eight hundred and eighteen, or either of said acts, so far as regards persons receiving pensions from the fund arising from captures and salvage made by the private armed vessels of the United States, be, and the same are hereby, continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years from and after the period of the expiration of the said pensions, respectively: *Provided, however,* That the said pensions shall be paid from the proceeds of the privateer pension fund, and without recourse to the United States, for any deficiency which may hereafter arise thereon, if any such there be: *And provided further,* That no such pension shall be paid to any widow after her intermarriage, had or to be had.

Pensions given under acts of March 4, 1814, ch. 20, and of April 16, 1818, ch. 65, continued for five years longer.

Proviso.

Proviso.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVI.—*An Act to grant to the state of Ohio certain lands for the support of schools in the Connecticut Western Reserve.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized and required to reserve from sale, out of any public lands that have been heretofore offered at public sale, and that remain unsold in the state of Ohio, a quantity of land, which, together with the lands heretofore granted for the support of schools in the Connecticut Western Reserve, in said state, shall be equal to one thirty-sixth part of said Western Reserve; which said quantity of land may be reserved in sections, or half sections, or quarter sections; and, when so reserved, the same shall vest in the said state of Ohio, for the support of schools in said Western Reserve, and be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said state now holds, or may hold, the lands heretofore granted for the support of schools in said Western Reserve.

Land equal to one thirty-sixth of Western Reserve, including that heretofore granted, to be reserved from sale, and to vest in the state.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVII.—*An Act to extend the time allowed for the discharge of the duties of the commission for carrying into effect the convention with France.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act entitled "An act to carry into effect the convention between the United States and his majesty the king of the French, concluded at Paris on the fourth day of July, eighteen hundred and thirty-one," approved July thirteenth, eighteen hundred and thirty-two, as limits the duration of the commission created by the said act to two years, be, and the same is hereby, repealed, and that a period of three years, commencing on the first Monday of August, one thousand eight hundred and thirty-two, be allowed for the discharge of the duties prescribed by the said act.

Commission extended to three years from first Monday in August, 1832. Act of July 13, 1832, ch. 199.

APPROVED, June 19, 1834.

STATUTE I.

June 19, 1834.

CHAP. LVIII.—*An Act supplementary to the act entitled "An act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two."*

Act of March 2, 1833, ch. 96.
Six months to be added to the time allowed by said act.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the further time of six months, in addition to the time specified in the act to which this is a supplement, be, and hereby is, allowed to the commissioners appointed by the President to execute and complete the duties imposed upon them by the provisions of the aforesaid act, approved on the second day of March, anno Domini, eighteen hundred and thirty-three.

APPROVED, June 19, 1834.

STATUTE I.

June 19, 1834.

CHAP. LIX.—*An Act for the re-appropriation of an unexpended balance of a former appropriation for the payment of the Georgia militia claims for the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four.*

Re-appropriation for payment of the Georgia militia.
1830, ch. 84.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of thirty-seven thousand six hundred and sixty-nine dollars and forty-seven cents, being the unexpended balance of a former appropriation for the payment of claims of the militia of Georgia for services performed in the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four, which said unexpended balance has been carried to the account of the surplus fund, be, and the same is hereby, re-appropriated, for the payment of the said militia claims of the state of Georgia.

APPROVED, June 19, 1834.

STATUTE I.

June 19, 1834.

CHAP. LX.—*An Act making additional appropriations for the armory at Harper's Ferry, for the year eighteen hundred and thirty-four.*

Appropriation for completing canal to Harper's Ferry.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the purpose of completing the canal from the public dam across the Potomac river to the works at the armory at Harper's Ferry, the sum of three thousand three hundred and seventy-eight dollars and twenty-seven cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 19, 1834.

STATUTE I.

June 24, 1834.

CHAP. LXVIII.—*An Act for the continuation and repair of the Cumberland road. (a)*

Appropriations for continuing the road in the state of

Ohio;
Indiana;

Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the state of Ohio; also, that the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland road in the state of Indiana; and that the sum of one hundred thousand dollars be appropriated for continuing said road in the state of Illinois; which sums shall be paid

out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

SEC. 2. *And be it further enacted*, That an officer of the corps of engineers, to be selected by the Department of War, shall be charged with the disbursements of the moneys appropriated for the construction of the Cumberland road through the states of Indiana and Illinois; and that said officer shall have, under the direction of the engineer department, a general control over the operations of the said road, and over all persons employed thereon: *Provided*, That no per centage shall be allowed to such officer for disbursing moneys appropriated for the construction of said road.

Officer of engineer corps to superintend the road in Indiana and Illinois.

Proviso.

SEC. 3. *And be it further enacted*, That for the entire completion of repairs of the Cumberland road, east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the General Assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," passed the fourth day of April, one thousand eight hundred and thirty-one; and of an act of the General Assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States road, within the limits of the state of Maryland," passed the twenty-third day of January, one thousand eight hundred and thirty-two; also, an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; the sum of three hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War: the money to be drawn out of the treasury in such sums, and at such times as may be required for the performance of the work.

Appropriation to carry into effect Pennsylvania act of April 4, 1831; Maryland act of January 23, 1832; and Virginia act of February 7, 1832.

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SEC. 4. *And be it further enacted*, That as soon as the sum by this act appropriated, or so much thereof as is necessary, shall be expended in the repair of said road, agreeably to the provisions of this act, the same shall be surrendered to the states, respectively, through which said road passes: and the United States shall not thereafter be subject to any expense for repairing said road.

Road to be surrendered to the states through which it passes.

APPROVED, June 24, 1834.

STATUTE I.

CHAP. LXXI.—*An Act regulating the value of certain foreign silver coins within the United States. (a)*

June 25, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar, that is to say, the dollars of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil of the like weight, of not less fineness than ten ounces fifteen pennyweights of pure silver, in the troy pound of twelve ounces of standard silver: and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy weight of standard silver, and weighing not less than three hundred and eighty-four grains each at the rate of ninety-three cents each.

Act of June 28, 1834, ch. 96. Certain silver coin to pass by tale.

SEC. 2. *And be it further enacted*, That it shall be [the] duty of the Secretary of the Treasury to cause assays of the aforesaid silver coins,

Assays of such coin to be made

(a) See notes of the acts relating to the currency of foreign coins in the United States, vol. ii. p. 374.

at the mint once
in every year.

made current by this act, to be had at the mint of the United States at least once in every year, and to make report of the result thereof to Congress.

APPROVED, June 25, 1834.

STATUTE I.

June 25, 1834.

CHAP. LXXII.—*An Act to change the boundary between the south-eastern and the western land districts in the territory of Michigan, and for other purposes.*

Certain lands
to form part of
the western, and
others of south-
eastern land dis-
trict.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the public lands of the United States within the limits of the counties of Calhoun and Branch, in the territory of Michigan, which are now subject to sale at the land office at Monroe, shall, from and after the passage of this act, be set off to, and form a part of, the western land district in said territory; and all that part of said territory lying east of the aforesaid counties, and south of the base line and west of the principal meridian, and, also, all the country east of the principal meridian and south of the line between townships numbered three and four south, except so much thereof as lies north of the river Huron of Lake Erie, shall continue to belong to, and form a part of, the south-eastern land district in said territory, the land office for which is now located at Monroe, but shall be subject to be removed from time to time to such place as the President of the United States may order and direct.

APPROVED, June 25, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXIV.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-four.*

Appropriations
for Indian an-
nuities, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and they are hereby, appropriated, for the payment of annuities due to various Indians and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties, to be paid out of any money in the treasury not otherwise appropriated; that is to say:

To the Six Nations of Indians in New York, four thousand seven hundred and fifty dollars.

To the Senecas of New York, six thousand dollars.

To the Ottowas, four thousand three hundred dollars.

To the Wyandot, six thousand seven hundred and forty-five dollars.

To the Wyandots, Munsees, and Delawares, one thousand dollars.

To the Christian Indians, four hundred dollars.

To the Miamies, twenty-nine thousand and twenty dollars.

To the Eel Rivers, one thousand one hundred dollars.

To the Pattawatamies, twenty thousand six hundred and twenty dollars.

To the Pattawatamies of Huron, four hundred dollars.

To the Pattawatamies of the Prairie, sixteen thousand dollars.

To the Pattawatamies of the Wabash, twenty thousand dollars.

To the Pattawatamies of Indiana, seventeen thousand dollars.

To the Chippewas, Ottawas, and Pattawatamies, sixteen thousand nine hundred and ninety-five dollars.

To the Winnebagoes, thirty-seven thousand eight hundred and forty dollars.

To the Menomonies, twenty thousand and forty dollars.

To the Chippewas, five thousand eight hundred dollars.

To the Chippewas, Menomonies, and New York Indians, one thousand five hundred dollars.

To the Sioux of Mississippi, three thousand seven hundred dollars. Indian annuities, &c.
 To the Yancton, and Santie bands of Sioux, four thousand four hundred dollars.

To the Omahas, four thousand dollars.

To the Sacs of Missouri, one thousand four hundred dollars.

To the Sacs, three thousand dollars.

To the Foxes, three thousand dollars.

To the Ioways, five thousand three hundred and thirty dollars.

To the Sacs and Foxes, twenty-five thousand three hundred and twenty dollars.

To the Sacs, Foxes, and Ioways, three thousand dollars.

To the Ottoes and Missourias, four thousand dollars.

To the Kansas, five thousand nine hundred and forty-five dollars.

To the Osages, eleven thousand and seventy dollars.

To the Kickapoos, eight thousand five hundred dollars.

To the Kaskaskias and Peorias, two thousand and fifty dollars, in addition to the sum of one thousand dollars in the hands of the superintendent at St. Louis.

To the Kaskaskias and Peorias, Weas, and Piankeshaws, one thousand dollars.

To the Piankeshaws, eight hundred dollars.

To the Weas, three thousand dollars.

To the Piankeshaws, five hundred dollars.

To the Delawares, seven thousand eight hundred and seventy dollars.

To the Shawanees, three thousand eight hundred and forty dollars.

To the Shawanees and Delawares, one thousand dollars.

To the Shawanees and Senecas of Lewistown, one thousand seven hundred and eighty dollars.

To the Senecas of Lewistown, two thousand three hundred and fifty dollars.

To the Choctaws, sixty-six thousand five hundred and thirty dollars.

To the Chickasaws, three thousand dollars.

To the Creeks, fifty-four thousand four hundred and fifty-five dollars.

To the Cherokees, twelve thousand dollars.

To the Quapaws, two thousand dollars.

To the Florida Indians, seven thousand dollars.

For to carry into effect the fourth article of the treaty with the Apalachicola band of Indians in Florida, approved thirteenth of February, eighteen hundred and thirty-three, three thousand five hundred and ten dollars.

To the Menomonies, five thousand dollars, for the annuity for the year eighteen hundred and thirty-two.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, and tobacco, tools, &c.; and other incidental expenses not otherwise enumerated, twenty-nine thousand five hundred dollars.

Sec. 2. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, viz:

For running the lines and marking out the reservations for the Sacs and Foxes, under the first and second articles of the treaty with them, of twenty-first September, eighteen hundred and thirty-two, two thousand dollars. Running lines for the Sacs and Foxes.

For expenses of locating reservations and certifying contracts under the Creek treaty of twenty-fourth March, eighteen hundred and thirty-two, fifteen thousand two hundred and twenty-three dollars and thirty-seven cents. Creek treaty.

For payment to the Stockbridge and Munsees Indians, for improvements on the lands on the east side of Fox river, agreeably to the pro- Improvements of Stockbridge

and Munsee Indians.

visional ratification of the treaty with said Indians, of ninth July, eighteen hundred and thirty-two, twenty-four thousand two hundred and twenty-six dollars.

Improvements of Brothertown Indians.

For payment to the Brothertown Indians for improvements on the land east of Fox river, agreeably to the same proviso of said treaty, six-teen hundred dollars.

For running lines.

For expenses of running the lines provided for by said treaty, and for surveying the tracts for the aforesaid Indians, two thousand dollars.

Treaty with Pattawatamies.

For expenses of selecting and locating reservations under the several treaties with the Pattawatamies, of twentieth, twenty-sixth, and twenty-seventh October, eighteen hundred and thirty-two, one thousand five hundred dollars.

Running Choctaw and Chickasaw line.

For expenses of running the dividing line between the Choctaws and Chickasaws, one thousand five hundred dollars.

Running Chippewa and Sioux line.

For expenses of running the lines between the Chippewas and Sioux, under the fifth article of the treaty with them, of nineteenth August, eighteen hundred and twenty-five, seven thousand dollars.

Running lines between Sacs and Foxes.

For to run the lines between the Sacs and Foxes, and to complete the surveys under the treaty of Prairie du Chien, of fifteenth July, eighteen hundred and thirty, the sum of two thousand dollars.

Commission to examine lands for emigrating Indians.

For expenses of the commission heretofore appointed to visit and examine the Indian country, adjust difficulties which may exist in the location of the lands of the emigrating Indians in the boundaries thereof, and ascertain and report the proper places of location for such tribes, and portions of tribes, as may yet wish to remove to that country, for that part of the year eighteen hundred and thirty-four included within the term of their appointment, twenty thousand dollars.

Claims due by Pattawatamies.

For the payment of claims due by the Pattawatamie Indians to white citizens, and for horses delivered by order of the commissioners to the Indians, and not embraced in the schedule which accompanied the treaty of October, eighteen hundred and thirty-two, as the Secretary of War shall ascertain to have been omitted, not exceeding one thousand dollars.

Cherokees of Arkansas.

For payment of claims to Cherokees of Arkansas, in addition to eight thousand seven hundred and sixty dollars, appropriated twenty-fourth May, eighteen hundred and twenty-eight, which sum, it is ascertained, falls short of the sum actually required, two hundred and fifty-eight dollars and thirty-three cents.

1828, ch. 94.

Isaac McCoy for surveying.

For compensation to Isaac McCoy for expenses of surveying the lands assigned to the Piankeshaws, Weas, Kaskaskias, and Peorias, and for extending the survey of the Shawnee lands, two thousand one hundred and two dollars.

Survey in territory of Michigan.

For surveying Indian reservations in the neighbourhood of Michilimackinac, in the territory of Michigan, four hundred and fifty dollars.

Emigrating Indians under the Creek treaty.

For the payment of claims ascertained upon settlement to be due, for provisions and bounty money, for Indians emigrating west, under the treaty with the Creeks, five thousand one hundred and thirty-six dollars ninety-three cents.

Removing the Creeks east of the Mississippi.

For removing five thousand Creeks from the Creek country east of the Mississippi to their new country west of that river, including subsistence on the route, and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, as provided for by the twelfth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, two hundred and forty-one thousand eight hundred and seventy-five dollars.

Rifles, &c. furnished Creeks.

For rifles, moulds, wipers, ammunition, and blankets, and transportation of the same, as provided for by the thirteenth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, with the said Creek tribe of Indians, twenty thousand eight hundred and seventy-five dollars.

For removing such portion of the Cherokees as may emigrate during the present year from the Cherokee country east of the Mississippi, to their new country west of that river, including subsistence on the route and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, sixty-eight thousand three hundred and twenty-five dollars.

SEC. 3. *And be it further enacted*, That the sum of one hundred and twelve thousand eight hundred and fifty-three dollars, and seventy-eight cents, paid into the treasury under the provisions of the act of February nineteenth, eighteen hundred and thirty-one, entitled "An act to provide hereafter for the payment of six thousand dollars annually to the Seneca Indians, and for other purposes," and now standing to the credit of Indian contingencies, shall be applied to, and be subject to, the payment of the annuities authorized to be paid by the provisions of this act: *Provided*, That the claim of the Seneca Indians against the United States, for the said sum of money, shall continue of the same force and effect as it now is.

SEC. 4. *And be it further enacted*, That the sum of eleven thousand one hundred and sixty dollars be, and the same is hereby, appropriated to be paid out of any money in the treasury not otherwise appropriated, to be distributed to the Creek Indians, friends and followers of General McIntosh, who emigrated under the treaty of January twenty-fourth, eighteen hundred and twenty-six, and who have not received their proportions of the sums stipulated to be paid under the ninth article of the said treaty.

SEC. 5. *And be it further enacted*, That the annuities to the Cherokees, for which appropriations are made in this act, shall be paid to the chiefs of the tribe, or to such person or persons as the tribe shall appoint.

APPROVED, June 26, 1834.

Removing the Cherokees from country east of the Mississippi.

Money in the treasury under act of February 19, 1831, ch. 26, to be subject to payment of Indian annuities.

Proviso.

Creek followers of General McIntosh, who emigrated under treaty of January 24, 1826.

Cherokee annuities to be paid to chiefs, &c.

STATUTE I.

June 26, 1834.

CHAP. LXXV.—*An Act for the relief of the town of Fayetteville, in the territory of Arkansas.*

WHEREAS, the seat of justice of Washington county, in the territory of Arkansas, was located and called Fayetteville prior to the public surveys being made, and when the lands were surveyed, the said town fell on section number sixteen, which, by law, is reserved for the use of schools; and whereas the said town is situated on the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, therefore,—

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the trustee of the school lands in and for township number sixteen, north of range thirty, west of the fifth principal meridian in the territory of Arkansas, be, and he is hereby, authorized to select and have set apart for the use of schools in said township, one entire section of any of the unimproved lands in said township in lieu of section number sixteen; and when the said trustee shall make his selection, he shall file the same in the office of the register of the Fayetteville land office, and the land so selected shall be reserved from sale, and set apart for the use of schools; and that section number sixteen, in said township, shall be subject to sale and entry as other public lands now are.

SEC. 2. *And be it further enacted*, That the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, in the territory of Arkansas, be, and is hereby, granted to Lewis Evans, Larkin Newton, Samuel

School lands to be set apart in lieu of section sixteen.

Lands granted in trust for the county.

Appropriation of proceeds to erection of a courthouse and jail.

Vaughan and John Woody, commissioners of said county, in trust for the use of said county; and that the Secretary of the Treasury be authorized to issue a patent for the same; and that the said commissioners shall have power to lay off the said land into town lots, and sell and dispose of the same, and make good and sufficient titles to purchasers; and they shall appropriate the proceeds of the sales of the said lots to the erection of a courthouse and jail in the town of Fayetteville, for the use of said county.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVI.—*An Act to create additional land districts in the states of Illinois and Missouri, and in the territory north of the state of Illinois.* (a)

Four new land districts created.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that tract of country lying north of the dividing line between township number twelve and thirteen, north of the base line running through the military bounty lands, and that tract of country lying north of the dividing line between townships number thirty and thirty-one, north of the old base line included in the state of Illinois, and all that tract of country lying north of the state of Illinois, west of Lake Michigan, and south and south-east of the Wisconsin and Fox rivers of Green Bay, in the present territory of Michigan, be laid off into four new land districts, to be divided and designated as follows, to wit: That tract lying within the state of Illinois, as above described, shall be divided by a north and south line, drawn between the range of townships number three and four, east of the third principal meridian, and that on the west side of said line shall be called the north-west, and that on the east, the north-east land district of the state of Illinois; and all that tract north of the state of Illinois, west of Lake Michigan, south and south-east of the Wisconsin and Fox rivers, included in the present territory of Michigan, shall be divided by a north and south line, drawn from the northern boundary of Illinois, along the range of township line next west of fort Winnebago, to the Wisconsin river, and be called, the one on the west side, the Wisconsin, and that on the east side, the Green Bay land districts of the territory of Michigan; which two districts shall embrace the country north of said rivers, when the Indian title shall become extinguished, and the Green Bay district may be divided so as to form two districts, when the President shall deem it proper.

President to designate place for office.

SEC 2. *And be it further enacted,* That there shall be established in each of the said land districts, one land office, at such time and place as

(a) The act of Congress, entitled "An act to create additional land districts in the states of Illinois and Missouri," approved June 26, 1834, ch. 76, does not require the President of the United States to cause to be offered for sale the public lands containing lead mines, situated in the land districts created by that act. *The United States v. Gear*, 3 Howard, 120.

The act does not require the President to cause the land containing lead mines to be sold, as the fifth section of the act of March 3, 1807, entitled "An act making provision for the disposal of the public lands, situated between the United States' tract and the Connecticut reserve, and for other purposes," is in full force. *Ibid.*

The lands containing lead mines, in the Indiana territory, or that part of it made into the new land districts, by the act of June 26th, 1834, are not subject to a pre-emption by settlers upon the public lands, under any of the pre-emption laws which have been passed by Congress. *Ibid.*

The fourth section of the act of 1834 does in no way repeal any part of the fifth section of the act of March 3, 1807, ch. 49, by which the lands containing lead mines were reserved for the future disposal of the United States, in which section it is declared that grants for lead mine tracts, discovered to be such before they may be bought from the United States, are declared to be fraudulent and null; and which authorized the President to lease any lead mine which had been, or might be discovered in the Indiana territory, for a term not exceeding five years. *Ibid.*

The land containing lead mines, in the districts made by the act of 1834, are not subject to pre-emption and sale under any of the existing acts of Congress. *Ibid.*

Digging lead ore from the lead mines upon the public land of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

the President may designate, to be removed whenever he may deem it expedient for the public convenience.

SEC. 3. *And be it further enacted*, That the President, by and with the consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the general land office, to authorize the commencement of the sales in either of said districts, to appoint one register, and one receiver for each land office so established, who shall reside at the place designated for the land office, and give security, and discharge all duties pertaining to such office as prescribed by law.

Registers and receivers to be appointed.

SEC. 4. *And be it further enacted*, That the President shall be authorized, so soon as the survey shall have been completed, to cause to be offered for sale, in the manner prescribed by law, all the lands lying in said land districts, at the land offices in the respective districts in which the land so offered is embraced, reserving only section sixteen in each township, the tract reserved for the village of Galena, such other tracts as have been granted to individuals and the state of Illinois, and such reservations as the President shall deem necessary to retain for military posts, any law of Congress heretofore existing to the contrary notwithstanding.

Land to be reserved for military posts.

SEC. 5. *And be it further enacted*, That so much of the public lands of the United States, in the state of Missouri, as lies west of the range line between ranges ten and eleven west of the fifth principal meridian, and south of the line dividing townships, numbers forty and forty-one north of the base line, shall form a new land district, to be called the south-western land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at such place within said district as the President of the United States may designate.

Land office.

SEC. 6. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of public land in said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall in every respect be the same in relation to lands to be disposed of at said office, as are, or may be, by law provided, in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver.

SEC. 7. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at the several land offices, at Jackson, Franklin, Fayette, and Lexington, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the proper officers of the office hereby created, in the same manner and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to, in the said several land offices hereinbefore mentioned, had they remained attached to the same: *Provided*, That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the treasury of the United States.

Lands not disposed of at public sale may be entered and sold at private sale.

Proviso.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVII.—*An Act to establish an additional land office in Arkansas.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the public lands of the United States in the territory of Arkansas as lies east of a line commencing on the southern boundary of the territory where it is intersected by the dividing line between ranges five and six, west of the meridian, thence with said range line to the dividing line between townships ten and eleven south; thence east with the said line to the dividing

Land office to be established at Helena.

line between ranges two and three west, thence north with said dividing line to the base line, thence east with said base line to the dividing line between ranges two and three east—thence north with said line to the dividing line between townships ten and eleven north, thence east with said dividing line to the dividing line between ranges six and seven east,—thence north with said dividing line to the northern boundary of the territory of Arkansas, shall form a new land district, to be called the Mississippi land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at the town of Helena, in the county of Phillips, in the territory aforesaid.

Register and receiver to reside at Helena.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Helena aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Land not sold at public, may be entered and sold at private sale.

SEC. 3. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms and upon like conditions as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVIII.—*An Act confirming certain land claims in the district of St. Stephen's, in Alabama.*

Register's decision of March 7, 1832, confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the decisions of the register and receiver of the land office for the district of St. Stephen's, in the state of Alabama, as contained in their report bearing date the seventh of March, eighteen hundred and thirty-two, made in pursuance of the act of Congress approved the second of March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office of the district of Saint Stephen's, in the state of Alabama, and for other purposes," be, and the same are hereby, confirmed.

Act of March 2, 1829, ch. 40.

APPROVED, June 26, 1834.

STATUTE I.

June 27, 1834.

CHAP. XCI.—*An Act authorizing the Secretary of War to establish a pension agency in the town of Decatur, in the state of Alabama; and to provide for the paying of certain pensioners in said town of Decatur.*

Secretary of War to establish an agency at Decatur.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he hereby is, authorized to establish a pension agency at Decatur, in the state of Alabama, for the payment of pensioners of the United States, resident in the counties of Jackson, Madison, Limestone, Lauderdale, Franklin, Lawrence, Morgan, Blount, Jefferson, Walker, Fayette, and Marion; *Provided*, That the establishment of such agency can be made without any charge to the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to make the necessary arrangements with the branch of the bank of the state of Alabama, established in the said town of Decatur, for the payment of the pensioners herein before described.

SEC. 3. *And be it further enacted*, That this act shall not take effect until the first day of August next.

APPROVED, June 27, 1834.

Secretary of the Treasury to make arrangements for payment of pensioners.

Act to take effect August 1.

STATUTE I.

June 27, 1834.

CHAP. XCII.—*An Act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-four.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

Appropriations for the civil and diplomatic expenses of government.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

For clerks and messengers in the office of the Secretary of State, twenty thousand three hundred dollars.

For clerks, machinist, and messenger in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, and for carrying into effect the resolutions of the Senate of the twenty-sixth of February, eighteen hundred and thirty-three, and thirty-first of March, eighteen hundred and thirty-four, in conjunction with the statistical inquiries set on foot by the late Secretary of State, Edward Livingston, and to reimburse the contingent fund the sum taken therefrom, in prosecution of the same, thirty-one thousand five hundred dollars.

For contingent and incidental expenses of the patent office, two thousand one hundred and seventy-five dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

For completing the publication of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three to the fourth of March, seventeen hundred and eighty-nine, thirteen hundred and ninety-two dollars and fifty-two cents.

For the documentary history of the revolution, per act of March second, eighteen hundred and thirty-three, twenty thousand dollars; and it shall be the duty of the Secretary of State, to examine the contract entered into by Edward Livingston, late Secretary of that department, with Matthew St. Clair Clarke and Peter Force, for the collection and publication of the documentary history of the American Revolution, and make a special report thereon, to the next session of Congress, setting forth the nature and character of the materials of which the work is to be composed, the progress made in the work, the number of volumes which will be required to complete it, and an estimate of the money which it may be necessary to appropriate for the fulfilment of the contract.

Act of March 2, 1833, ch. 78.

For the erection of a fence of wood corresponding with that already enclosing the war and navy buildings, to complete the enclosure of the north-east executive building, sixteen hundred dollars.

For compensation of an additional watchman of the north-east executive building, three hundred dollars.

Civil and diplomatic expenses of government.

For reimbursing the fund for the contingent expenses of the north-east executive building, including fuel, labour, oil, and repairs, for so much paid out of that fund for extra watchings during the year eighteen hundred and thirty-three, three hundred and thirty-seven dollars and fifty cents.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand seven hundred dollars, including one hundred and fifty dollars additional compensation to the assistant messenger for extra labour.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand three hundred dollars, including two hundred dollars additional compensation to the assistant messenger for extra labour.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-three thousand seven hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

For compensation to the treasurer of the United States, three thousand dollars.

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

For compensation to the register of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

For compensation to the commissioner of the general land office, three thousand dollars.

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messenger in the office of solicitor of the treasury, three thousand nine hundred and fifty dollars.

For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following sums, viz :

Civil and diplomatic expenses of government.

For the office of the Secretary of the Treasury, including the expenses incurred in consequence of the burning of the treasury building, ten thousand dollars.

For the office of the first comptroller, including the sum necessary to supply books and stationery lost in the conflagration, one thousand eight hundred and fifty dollars.

For the office of the second comptroller, one thousand five hundred dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, one thousand dollars.

For the office of the third auditor, eight hundred dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, one thousand dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the solicitor of the treasury, one thousand dollars.

For the office of the commissioner of the general land office, including eighty thousand parchments, and cost of printing patents, eighteen thousand dollars.

For compensation to the legal representatives of the late William Wirt, Esq., in full for professional services rendered the United States in suits relative to lands lying in Missouri, in Alabama, and in Florida, the sum of one thousand dollars.

For additional clerk hire in the issuing of military land scrip, making out of patents for Virginia military surveys, and for private land claims, and in adjusting the accounts of the surveyors general, four thousand dollars.

For additional clerk hire in writing and recording not less than forty thousand patents, at a price not exceeding fifteen cents each, six thousand dollars.

For compensation to six additional clerks, one year, to aid in registering sales of lands and adjusting the accounts of receivers of public moneys for districts recently created, and for opening tract books, making indexes, and bringing up other arrears, six thousand dollars.

For translations, and for expense of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-four, one thousand five hundred dollars.

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, two thousand one hundred dollars.

For incidental and contingent expenses of said buildings, fuel, labour, oil, and repairs, five thousand dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twelve thousand six hundred and fifty dollars.

For contingent expenses of the office of the Secretary of War, three thousand dollars.

For books, maps and plans for the War Department, one thousand dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, three thousand two hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

Civil and diplomatic expenses of government.

For contingent expenses of said office, one thousand dollars.
For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including printing advertisements, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For the services of a lithographer, and the expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For the salary of a clerk in the topographical bureau, one thousand dollars.

For contingent expenses of the topographical bureau, one thousand three hundred and seven dollars and fifty cents.

For the salary of a clerk in the clothing bureau, seven hundred dollars.

For the salary of the commissioner of pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For salaries of additional clerks, ten thousand six hundred dollars.

1832, ch. 126.

For additional or temporary clerk hire for the year eighteen hundred and thirty-four, in order to carry into effect the act of the seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, five thousand dollars.

For arrearages for salaries and clerk hire, printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies, for the year eighteen hundred and thirty-three, five thousand dollars.

For printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies in the office of the commissioner of pensions, six thousand five hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, twelve hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building and improvements of adjoining ground, including arrearages for eighteen hundred and thirty-three, and the sum of one hundred and four dollars and seventeen cents for the rent of rooms occupied by the bounty land bureau, three thousand two hundred and four dollars and seventeen cents.

For fitting up the basement rooms of the executive building occupied by the War Department, six hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars.

For contingent expenses of said office, two thousand seven hundred dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsmen, and messenger in

the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engine, and improvement of the grounds, three thousand three hundred and fifty dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-three, thirty-one thousand seven hundred and thirty-one dollars and forty-four cents.

For the repairs of the buildings occupied by the general post-office, three thousand three hundred and thirty-four dollars and thirty-one cents.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For additional clerk hire, in order to bring up the arrears, and transcribing field notes of said office, for the purpose of having them preserved at the seat of government, three thousand five hundred dollars.

For compensation to the surveyor in Illinois and Missouri, two thousand dollars.

For compensation to the clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

For compensation to clerks in said office, one thousand eight hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Louisiana, two thousand dollars.

For compensation to the clerks in the office of said surveyor, fifteen hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Mississippi, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand seven hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand three hundred dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

Civil and diplomatic expenses of government.

For compensation to the clerk and draughtsman in the office of the said surveyor, one thousand dollars each.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand five hundred dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, three thousand dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand five hundred dollars.

For enabling the respective surveyors general to furnish the several land offices, commencing under the credit system, with renewed township plats, under the direction of the Secretary of the Treasury, in cases where those previously furnished have been defaced, or become materially injured by use, five thousand dollars.

For compensation to the secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second March, eighteen hundred and thirty-three, including arrears of salary not paid for eighteen hundred and thirty-three, the sum of two thousand seven hundred and fifty dollars.

Act of March 2, 1833, ch. 91.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

For purchase of books for the library of Congress, five thousand dollars.

For salary of the principal and assistant librarians, and for contingent expenses of the library and pay of messenger, three thousand seven hundred and fifty dollars.

For compensation to the officers and clerk of the mint, ten thousand six hundred dollars.

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, including one thousand dollars for the salary of an assistant assayer, and one thousand five hundred dollars for his services and expenses during a visit to Europe on behalf of the mint, in order to examine certain processes in the treatment of the precious metals, twenty thousand eight hundred and twenty dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, twenty thousand and fifty dollars.

For compensation to the governor, judges and secretary of the Michigan territory, seven thousand eight hundred dollars.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, of the territory of Michigan, eleven thousand four hundred and forty-eight dollars.

For arrearages for compensation and mileage of the members of the legislative council of Michigan territory, pay of officers of the council, fuel, stationery, and printing, for the year eighteen hundred and thirty-three, four thousand seven hundred and twenty-five dollars and thirty-five cents.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, under the act of twentieth April, eighteen hundred and thirty-two, at eight hundred dollars each, from the sixteenth March, eighteen hundred and thirty-three, to thirty-first December, eighteen hundred and thirty-four, thirteen thousand five hundred and thirty-three dollars and thirty-three cents.

Act of April 20, 1832, ch. 72.

For incidental expenses of the legislative council of said territory, per act of twenty-fourth May, eighteen hundred and twenty-eight, omitted last year, seven hundred and twenty dollars.

Civil and diplomatic expenses of government. 1828, ch. 100.

To defray the expenses of compiling and printing the laws of the territory of Arkansas, under the direction and superintendence of the governor of said territory, three thousand dollars.

For contingent expenses of Arkansas territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation per act of twenty-sixth May, eighteen hundred and thirty, of eight hundred dollars to the judge of the superior court of the eastern district of said territory, eleven thousand three hundred dollars.

1830, ch. 106.

For additional compensation for the year eighteen hundred and thirty-three, to the judges of the superior courts of the eastern and southern districts of the Florida territory, one thousand six hundred dollars, in lieu of an appropriation of last year of one thousand six hundred dollars, for "additional compensation of two of the said judges" of the Florida territory.

1833, ch. 54.

For contingent expenses of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, and printing, nine thousand one hundred and seventy-three dollars and twenty-four cents.

For arrearages for the compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and the distribution of the laws for the year eighteen hundred and thirty-three, two thousand seven hundred and nineteen dollars and fifty cents.

For allowances to the law agent and assistant counsel, under the acts for the settlement of private land claims in Florida, including arrearages, nine thousand eight hundred and seventy-five dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the expenses of printing the records of the Supreme Court of the United States for the term of eighteen hundred and thirty-four, three thousand dollars.

For the salaries of chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

For compensation to the district attorneys and marshals as granted by law, including those in the several territories, twelve thousand seven hundred dollars.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and thirty-four, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences com-

Civil and diplomatic expenses of government.

mitted against the United States, and for the safe keeping of prisoners, two hundred and sixty thousand dollars.

For the payment of sundry pensions granted by special acts of Congress, one thousand three hundred and fifty dollars.

For the support and maintenance of lighthouses, floating-lights, beacons, buoys and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and fifty-one thousand seven hundred and twenty-six dollars and seventy-nine cents.

For the salaries of registers and receivers of land offices where there are no sales, three thousand five hundred dollars.

For surveying the public lands, and for establishing a permanent and conspicuous land-mark on the line dividing the states of Indiana and Illinois at some suitable point near Lake Michigan, in addition to the unexpended balance of former appropriations, sixty thousand dollars.

For surveying a portion of the public lands in the south-western part of the state of Missouri, to which the Indian title was extinguished in eighteen hundred and thirty-two, twenty thousand dollars.

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

For compensation to the recorder, two commissioners, and translators, for the final adjustment of private land claims in Missouri, per act of ninth July, eighteen hundred and thirty-two, which act, and a supplemental act of second March, eighteen hundred and thirty-three, are hereby continued in force for one year from the first of October next, including an unexpended balance of former appropriations of eight hundred and ninety-two dollars and seventy-two cents, the sum of five thousand one hundred and seven dollars and twenty-eight cents.

For contingent expenses and office rent of said board, five hundred dollars.

For contingent expenses of said board for eighteen hundred and thirty-four, including compensation to the agent employed to convey annual report of the board to the seat of government, including also expenses incurred by commissioners in taking testimony, and for payment of balances of claims admitted in due course of settlement at the treasury, one thousand nine hundred and thirty-eight dollars and sixty-two cents.

For stationery and books for the offices of commissioners of loans, one thousand two hundred dollars.

For registers for ships and vessels, and lists of crews, two thousand three hundred dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

For salaries of the ministers of the United States to Great Britain, France, Spain, and Russia, thirty-six thousand dollars.

For salaries of the secretaries of legation to the same places, eight thousand dollars.

For the salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America, and New Granada, fifty-eight thousand five hundred dollars.

For the salary of the drogoman to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfits of a minister of the United States to Russia, and a chargé des affaires to Buenos Ayres, Chili and Brazil, twenty-two thousand five hundred dollars.

Civil and diplomatic expenses of government.

For contingent expenses of all the missions abroad, thirty thousand dollars.

For the salaries of the agents for claims at London and Paris, four thousand dollars.

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

For the relief and protection of American seamen, in foreign countries, thirty thousand dollars.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For compensation and expenses of an agent to Havana, to procure the archives of Florida, four thousand five hundred dollars.

For compensation to the judges of the western and middle districts of Florida, under the act of eighteen hundred and twenty-eight, for the year eighteen hundred and thirty-three, sixteen hundred dollars.

1828, ch. 70.

To defray the costs of certain suits decided against the United States, as directed in the act of May twenty-sixth, eighteen hundred and twenty-eight, one thousand dollars.

For balance due to Lucius Lyon, commissioner appointed to ascertain and survey the northern boundary of the state of Illinois, per act of second March, eighteen hundred and thirty-one, one thousand and sixty-eight dollars and twelve cents.

1831, ch. 86.

For additional payment for the statue of Washington, five thousand dollars.

For payment of the balance found to be due on settlement, at the treasury, to the legal representatives of John W. Smith, deceased, late special agent in relation to the sale of property in New Orleans, formerly belonging to Edward Livingston, nine hundred and ten dollars and twenty-four cents.

For survey of the coasts of the United States, thirty thousand dollars.

For the erection of the custom-house at New London, in the state of Connecticut, in addition to an unexpended balance of former appropriations, nine thousand dollars.

For the erection of the custom-house at Middletown, in the state of Connecticut, in addition to an unexpended balance of former appropriations, six thousand dollars.

For the erection of a custom-house at New Bedford, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a custom-house at Newburyport, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a public warehouse at Baltimore, in addition to an unexpended balance of former appropriations, twenty-three thousand dollars.

To construct a cistern on the custom-house lot at Key West, five hundred dollars.

To construct a brick wall to enclose the custom-house lot, and a small building connected with the wall, and for repairs to the custom-house at Providence, Rhode Island, one thousand dollars.

To construct a brick wall to enclose the custom-house lot at New Orleans, five thousand five hundred dollars.

To supply a deficiency in the contingent fund of the House of Representatives, twenty-five thousand dollars.

For completing the compilation of the laws of the territory of Florida, two thousand five hundred dollars.

For compensation to Robert Mills, the architect employed by order of the House of Representatives to superintend the alterations in the Representatives Hall, according to the plan of said Mills, one thousand dollars.

Civil and diplomatic expenses of government.

For the repair and completion of the United States' marine hospital in Charleston, South Carolina, one thousand one hundred dollars, to be placed at the disposal of the intendant and wardens of the said city of Charleston.

1834, ch. 10. For pay and mileage of members of Congress and delegates, seventy thousand and eighty dollars, in addition to the appropriation made by act of the eleventh day of February, eighteen hundred and thirty-four.

To enable the directors of the mint to procure the requisite apparatus for parting gold and silver by the sulphuric acid, and to establish a refinery for that purpose on the most approved principles under the control of the institution, seven thousand dollars.

1832, ch. 74. For payment of preparing, printing and binding the documents ordered to be printed by Gales and Seaton, forty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object by the act of the fifth day of May, eighteen hundred and thirty-two.

For payment for printing the documents relating to the public lands, ordered to be printed by the Senate of the United States, and for binding and engraving the necessary maps, forty-two thousand nine hundred and sixty dollars, to be disbursed by the secretary of the Senate, whose accounts for the same shall be settled and adjusted at the treasury in the usual manner.

1834, ch. 70. For the contingent expenses of the Senate, in addition to the appropriation contained in the act of the eleventh day of February, eighteen hundred and thirty-four, forty-six thousand two hundred and ninety-four dollars. And for the contingent expenses of the House of Representatives, in addition to former appropriations, thirty-five thousand dollars.

1834, ch. 45. To enable the Secretary of the Treasury to carry into effect the act entitled "An act for the relief of certain insolvent debtors," approved the seventh day of June, eighteen hundred and thirty-four, five thousand dollars.

For payment of balance due the representatives of Samuel Babcock on settlement of his accounts, one hundred and forty-six dollars twenty-three cents.

For payment of balance due Gurdon Trumbull, superintendent of the public works at Stonington harbour, two hundred and sixty-two dollars sixteen cents.

For payment of Major P. H. Perrault, balance due on account of the survey of the harbour of St. Augustine, two dollars and eighty-four cents.

For payment of balances due Joseph D. Selden, superintendent of the erection of a lighthouse at Buffalo and Erie, one thousand six hundred and ninety-seven dollars and sixty-two cents.

For payment of the arrearages due contractors on the Cumberland road in Ohio, one thousand six hundred and nine dollars thirty-six cents.

For the expenses of a "Digest of the existing commercial regulations of foreign countries" now in preparation under a resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, the sum of five thousand and one hundred dollars.

Compensation to be allowed to collectors and other officers of the customs.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, naval officers, surveyors, and their respective clerks, together with the weighers of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-four, according to the importations of that year, as they would have been entitled to receive if the act of the fourteenth of July, eighteen hundred and thirty-two, had not gone into effect: and that the clerks employed by the respective collectors, naval officers, and surveyors

1832, ch. 227.

of the several ports, shall be paid for the year one thousand eight hundred and thirty-three, as if they had been specifically included in the third section of the act of the second of March, of said year, entitled "An act making appropriations for the civil and diplomatic expenses of government, for the year eighteen hundred and thirty-three." *Provided, however,* that in no case shall the compensation of any other officers than collectors, naval officers and surveyors, whether by salaries, fees, or otherwise, exceed the sum of two thousand dollars each per annum; nor shall the union of any two or more of these officers in one person entitle him to receive more than the sum of two thousand five hundred dollars per annum; *and provided, also,* that no officer shall receive under this act a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two, provided, however, that the number of officers to be employed in any of the custom-houses shall not be augmented beyond those now in service; *and provided further,* that the said collectors, naval officers and surveyors shall render an account quarterly to the treasury, and the other officers herein named or referred to shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the treasury, of all the fees and emoluments whatever by them respectively received, and of all expenses incident to their respective offices, which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will in his judgment best enforce the provisions of this section, and show its operation and effect.

Act of March 2, 1833, ch. 54. Proviso.

SEC. 3. *And be it further enacted,* That no payment of the money, appropriated by this act, or any other act passed at the present session of Congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made, provided that nothing herein contained shall be construed to make any thing but gold and silver a tender in payment, of any debt due from the United States to individuals.

Payments not to be made in bank notes below par at place of payment.

SEC. 4. *And be it further enacted,* That the secretary of the Senate be, and he hereby is, directed to pay, out of the fund appropriated by law for the pay of members of Congress, to Elisha R. Potter, of the state of Rhode Island, such compensation as is allowed by law to members of Congress, for his travel from his place of residence to the city of Washington, to claim a seat in the Senate, and for his return and also the per diem compensation for the days he was in actual attendance at the seat of government from the commencement of the present session of Congress, until the final decision by the Senate against his right to the seat so claimed by him.

Elisha R. Potter to be paid for mileage and attendance.

APPROVED, June 27, 1834.

STATUTE I.

CHAP. XCV.—*An Act concerning the gold coins of the United States, and for other purposes.*

June 28, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the gold coins of the United States shall contain the following quantities of metal, that is to say: each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; each half eagle one hundred and sixteen grains of pure gold, and one hundred and twenty-nine grains of standard gold; each quarter eagle shall contain fifty-eight grains of pure gold, and sixty-four and a half grains of standard gold; every such eagle shall be of the value of ten dollars; every such half eagle shall be of the value of five dollars; and every such quarter eagle shall be of the value of two dollars and fifty cents; and the

Standard and weight of coins. Vol. ii. 54. Vol. ii. 111.

said gold coins shall be receivable in all payments, when of full weight, according to their respective values; and when of less than full weight, at less values, proportioned to their respective actual weights.

Gold and silver deposited for coinage to be paid for within five days.

Proviso.

Rate at which gold coin shall be receivable.

Gold coins to be set apart for assay.

Proviso.

Act to be in force after July 31, 1834.

SEC. 2. *And be it further enacted*, That all standard gold or silver deposited for coinage after the thirty-first of July next, shall be paid for in coin under the direction of the Secretary of the Treasury, within five days from the making of such deposit, deducting from the amount of said deposit of gold and silver one-half of one per centum: *Provided*, That no deduction shall be made unless said advance be required by such depositor within forty days.

SEC. 3. *And be it further enacted*, That all gold coins of the United States, minted anterior to the thirty-first day of July next, shall be receivable in all payments at the rate of ninety-four and eight-tenths of a cent per pennyweight.

SEC. 4. *And be it further enacted*, That the better to secure a conformity of the said gold coins to their respective standards as aforesaid, from every separate mass of standard gold which shall be made into coins at the said mint, there shall be taken, set apart by the treasurer and reserved in his custody, a certain number of pieces, not less than three, and that once in every year the pieces so set apart and reserved shall be assayed under the inspection of the officers, and at the time, and in the manner now provided by law, and, if it shall be found that the gold so assayed, shall not be inferior to the said standard hereinbefore declared, more than one part in three hundred and eighty-four in fineness, and one part in five hundred in weight, the officer or officers of the said mint whom it may concern, shall be held excusable; but if any greater inferiority shall appear, it shall be certified to the President of the United States, and if he shall so decide, the said officer or officers shall be thereafter disqualified to hold their respective offices: *Provided*, That if, in making any delivery of coin at the mint in payment of a deposit, the weight thereof shall be found defective, the officer concerned shall be responsible to the owner for the full weight, if claimed at the time of delivery.

SEC. 5. *And be it further enacted*, That this act shall be in force from and after the thirty-first day of July, in the year one thousand eight hundred and thirty-four.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. XCVI.—*An Act regulating the value of certain foreign gold coins within the United States.* (a)

Act of June 25, 1834, ch. 71.

Rates at which gold coins shall be receivable after July 31, 1834.

Coins of Great Britain, Portugal, and Brazil. France.

Spain, Mexico, and Colombia.

Annual assays to be made.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the thirty-first day of July next, the following gold coins shall pass as current as money within the United States, and be receivable in all payments, by weight, for the payment of all debts and demands, at the rates following, that is to say: the gold coins of Great Britain, Portugal, and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rate of eighty-nine cents and nine-tenths of a cent per pennyweight.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid gold coins,

made current by this act, to be had at the mint of the United States, at least once in every year, and to make a report of the result thereof to Congress.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVII.—*An Act to authorize the removal of the custom-house from Magnolia, to St. Marks in Florida.*

June 28, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, the President of the United States be, and he is hereby, authorized to remove the custom-house, now established at Magnolia on the St. Marks river in Florida, to the town of St. Marks or some other point on St. Marks harbour which may be deemed suitable, when in his judgment the public interests and convenience may require it, and after the removal aforesaid the office of surveyor at St. Marks shall be abolished.

President to cause custom-house to be removed.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVIII.—*An Act to attach the territory of the United States west of the Mississippi river, and north of the state of Missouri, to the territory of Michigan.*

June 28, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the territory of the United States bounded on the east by the Mississippi river, on the south by the state of Missouri, and a line drawn due west from the north-west corner of said state to the Missouri river; on the south-west and west by the Missouri river and the White Earth river, falling into the same; and on the north, by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to, and made a part of, the territory of Michigan, and the inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan territory.

Territory made part of Michigan, and the inhabitants subjected to its laws, &c.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCIX.—*An Act for the benefit of the city of Washington.*

June 28, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any unappropriated money in the treasury, a sum not exceeding seventy thousand dollars, in quarterly instalments, for one year from the passage of this act, to the mayor of the city of Washington, to be applied under the direction and authority of the boards of aldermen and common council, to extinguish so much of the interest annually accruing on their public debt.

Appropriation to extinguish interest on public debt of Washington city.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. C.—*An Act to enable the President to make an arrangement with the government of France in relation to certain French seamen killed or wounded at Toulon, and their families.*

June 28, 1834.

WHEREAS certain French seamen were unfortunately killed and others wounded, by firing a salute from the American frigate United States in the harbour of Toulon, on the first day of May last, and whereas it is

proper to manifest the sensibility, with which the disastrous accident is viewed by the government of the United States, therefore,

Arrangement to be made with France for payment of double pensions to persons wounded and relatives of those killed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is authorized and empowered to enter into an arrangement with the government of France for the payment of an annual sum of twice the amount receivable by the navy pensioners of the same or a similar class to the wounded who survive, and to such relatives of those who were unhappily killed as aforesaid, as the President may deem it expedient to include in this provision, which said sum shall be paid on the earliest day practicable after the proposed arrangement shall be concluded, and on the same day in each year thereafter during the respective lives of the persons to whom granted.

Appropriation.

SEC. 2. And be it further enacted, That a sum of money sufficient to enable the President to carry the aforesaid arrangement into effect, be and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CI.—*An Act to authorize the correction of erroneous selections of land granted to the state of Indiana, for the purpose of constructing the Michigan road.*

Indiana to select lands in lieu of those formerly selected.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Indiana be, and hereby is authorized to select other lands in lieu of sections numbered eighteen and twenty-nine, and fractional section numbered thirty-two, in township thirty-seven north, of range one, east, heretofore selected, to be applied to the purpose of constructing the Michigan road in Indiana; the selections authorized by this act to be made on any unsold land, within the district where the above-mentioned lands lie, and shall be applied to the same object, and the first named selections are hereby declared void and of no effect.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CII.—*An Act limiting the times of advertising the sales of the public lands.*

Sales to be advertised not less than three, nor more than six months.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That hereafter the public lands which shall be exposed to public sale by order of the President of the United States, shall be advertised for a period of not less than three nor more than six months prior to the day of sale, any thing in any law heretofore enacted to the contrary notwithstanding.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIII.—*An Act making additional appropriations for certain harbours, and removing obstructions in the mouths of certain rivers, for the year one thousand eight hundred and thirty-four.*

Appropriations for harbours and rivers.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for carrying on and completing certain works heretofore commenced, viz :

Kennebunk river.

For piers at the entrance of Kennebunk river, ten thousand three hundred dollars.

For the breakwater at the mouth of Merrimack river, three thousand eight hundred and sixty dollars.	Merrimack river.
For the preservation of Plymouth beach, two thousand dollars.	Plymouth beach.
For the preservation of the beach at Provincetown harbour, Massachusetts, four thousand four hundred dollars.	Beach at Provincetown.
For the breakwater at Hyannis harbour, Massachusetts, ten thousand dollars.	Breakwater at Hyannis.
For improving the harbours of Newcastle, Marcus Hook, Chester, and Port Penn, in the Delaware river, six thousand one hundred and thirty-three dollars.	New Castle, Marcus Hook, and Port Penn.
For carrying on the improvement of Ocracok inlet, North Carolina, fifteen thousand dollars.	Ocracok inlet.
For improving Cape Fear river below Wilmington, North Carolina, five thousand two hundred and thirty-four dollars.	Cape Fear river.
For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.	Ohio, Missouri, and Mississippi.
For completing the improvement of St. Mark's river and harbour, Florida, four thousand six hundred dollars.	St. Mark's.
For improving the harbour of Chicago, Illinois, thirty-two thousand eight hundred and one dollars.	Chicago harbour.
For the piers at La Plaisance bay, Michigan, four thousand eight hundred and ninety-five dollars.	La Plaisance piers.
For improving the navigation of Red river, fifty thousand dollars.	Red river.
For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.	Delaware breakwater.
For filling up and securing a breach in the south embankment at Presque Isle, Pennsylvania, three thousand and forty-five dollars.	Presque Isle.
For improving the harbour at Mobile, in removing the bar at the entrance of the harbour called Choctaw Pass, ten thousand dollars.	Mobile harbour.
For improving the navigation of the river Savannah, in removing the obstructions in said river from the city of Savannah to its mouth, thirty thousand dollars.	Savannah river.
For continuing and securing the works at Oswego harbour, New York, thirty thousand dollars.	Oswego harbour.
For continuing the improvements at Big Sodus bay, New York, on the present plan, fifteen thousand dollars.	Big Sodus bay.
For completing the works at Genessee river, New York, on the present plan, twenty thousand dollars.	Genessee river.
For continuing the improvements of Black Rock harbour, New York, twelve thousand dollars.	Black Rock harbour.
For completing the works at Buffalo, New York, twenty thousand dollars.	Buffalo.
For continuing the improvements at Dunkirk harbour, New York, four thousand dollars.	Dunkirk harbour.
For securing the works at Presque Isle, Pennsylvania, twenty thousand dollars.	Presque Isle.
For completing and securing the works at Cleveland harbour, Ohio, thirteen thousand three hundred and fifteen dollars.	Cleveland harbour.
For repairing and securing the works at Grand river, Ohio, ten thousand dollars.	Grand river.
For securing the works at Black river, Ohio, five thousand dollars.	Black river.
For extending and securing the works at Huron river, Ohio, six thousand seven hundred dollars.	Huron river.
For continuing the improvements at Ashtabula creek, Ohio, five thousand dollars.	Ashtabula creek.
And for defraying the expense of surveys pursuant to the act of the thirtieth of April, eighteen hundred and twenty-four, including arrearages for eighteen hundred and thirty-three, twenty-nine thousand dollars,	Surveys under act of April 30, 1824, ch. 46, &c.

of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical survey and researches.

Steele's ledge.

To rebuild the monument on Steele's ledge, in Penobscot bay, four thousand six hundred dollars.

Cumberland river.

For the continuation of the improvement of the navigation of the Cumberland river, thirty thousand dollars, to be expended under the direction of the War Department.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIV.—*An Act making appropriations for the military academy of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations for the military academy.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury:

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation, and postage, eight thousand four hundred and eighty-six dollars and thirty cents.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, carts and fences, nine thousand six hundred and ten dollars and ninety-six cents.

For pay of adjutant's and quartermaster's clerks, nine hundred dollars.

For philosophical apparatus and repairs of the same, six hundred and ninety-eight dollars.

For models for the department of engineering, eight hundred dollars.

For models for the drawing department, apparatus, and contingencies for the department of chemistry, and repairs of instruments for the mathematical department, one thousand one hundred and seventeen dollars.

For the departments of mineralogy, artillery, and sword exercises, one thousand one hundred and thirty dollars.

For increase and expenses of the library, one thousand two hundred and sixteen dollars and twenty-two cents.

For completing the out-buildings and culvert attached to the cadet barracks, one thousand and eighty-one dollars and fifty cents.

For miscellaneous items, and incidental expenses of the military academy, one thousand six hundred and seventy-one dollars and forty-seven cents.

For the erection of a building for military and other exercises, in winter, in addition to six thousand dollars appropriated last session, fourteen thousand dollars.

For pay of the officers, cadets, and musicians, and subsistence of officers and cadets, ninety-five thousand six hundred and ninety-eight dollars.

For forage of officers, one thousand one hundred and fifty-two dollars.

For clothing for servants of officers, three hundred and thirty dollars.

Secretary of War to cause transfers to be made to settle accounts of Col. Thayer.

SEC. 2. *And be it further enacted,* That the Secretary of War be, and is hereby authorized to cause such transfers to be made from specific heads of appropriation, for the military academy, as may be necessary to enable the accounting officer to settle the accounts of Lt. Col. S. Thayer, late superintendent, for expenses incurred in procuring philosophical apparatus for said academy, under an order of the War Department, in eighteen hundred and twenty-nine.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CV.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and are hereby, appropriated, for the objects hereinafter mentioned, to be paid out of any moneys in the treasury, not otherwise appropriated, viz :

To carry into effect the stipulations of the treaty with the Seminoles, of the ninth May, eighteen hundred and thirty-two, viz :

Seminoles.

To pay for improvements relinquished to the United States by the first article, fifteen thousand four hundred dollars.

To defray the expense of investigating claims against the Seminoles for property alleged to have been stolen or destroyed by them, and of liquidating such as may be satisfactorily established, seven thousand eight hundred dollars.

To carry into effect the treaty with the Western Cherokees, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Cherokees.

For support of blacksmiths, of a wheelwright and wagon maker and their establishments, and the purchase of corn mills, under the fourth article, eight thousand three hundred and twenty dollars.

To carry into effect the treaty with the Western Creeks, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Creeks.

For support of a blacksmith, wheelwright, or wagon maker, and their establishments, and for the purchase of saws and corn mills, under the fifth article, three thousand three hundred and sixteen dollars.

For education, one thousand dollars.

To pay for improvements abandoned, under the sixth article, three thousand eight hundred and one dollars and fifty-eight cents.

To pay the expense of appraising these improvements, five hundred dollars.

To carry into effect the treaty with the Quapaws, of thirteenth May, eighteen hundred and thirty-three, viz :

Quapaws.

To pay for stock, implements of agriculture, rifles, blankets, and other articles stipulated to be furnished in the third article, five thousand and eighty-eight dollars and fifty cents.

For support of a farmer, six hundred dollars.

For education, one thousand dollars.

For support of a blacksmith and his establishment, one thousand and seventy-five dollars.

For payment of debts of the Quapaws, under the fourth article, four thousand one hundred and eighty dollars.

For pay of labourers, one thousand dollars.

For payment of the limited annuity, two thousand dollars.

For pay of an interpreter, by the sixth article, three hundred dollars.

To carry into effect the treaties with the Appalachicolas, of eighteenth June, eighteen hundred and thirty-three, viz :

Appalachicolas.

For payment of reservations to be surrendered, under the fourth article of each of the treaties, six thousand dollars.

To carry into effect the treaty with the Otoes and Missouriias, of twenty-first September, eighteen hundred and thirty-three, viz :

Otoes and Missouriias.

For education, under the fourth article, five hundred dollars.

For support of farmers, and the erection of a mill, under the fifth article, one thousand four hundred and fifty dollars.

For purchase of stock, under the sixth article, one thousand dollars.

For payment for merchandise, under the ninth article, four hundred dollars.

To carry into effect the treaty with the Pawnees, of ninth October, eighteen hundred and thirty-three, viz :

Pawnees.

For payment of the annuity provided for in the third article, four thousand six hundred dollars.

For purchase of agricultural implements, under the fourth article, two thousand dollars.

For education, under the fifth article, one thousand dollars.

For support of blacksmiths, and their establishments, under the sixth article, two thousand dollars.

For the support of farmers, under the seventh article, two thousand four hundred dollars.

For the purchase of stock, four thousand dollars.

For the erection of mills under the eighth article, one thousand dollars.

For the purchase of guns, and ammunition under the twelfth article, one thousand four hundred and twenty-two dollars.

For payment for merchandise under the thirteenth article, one thousand six hundred dollars.

For payment of transportation and other incidental expenses, under the above treaties, two thousand dollars.

Senecas and Shawnees, and Quapaws. To survey and lay off the lands of the Senecas and Shawnees, under the second article of the treaty of twentieth July, eighteen hundred and thirty-one, and of the Quapaws, under the third article of the treaty of thirteenth May, eighteen hundred and thirty-three, twelve hundred dollars.

Sacs and Foxes. To survey and lay off the reservation provided for in the second article of the treaty with the Sacs and Foxes, of twenty-first of September, eighteen hundred and thirty-two, eight hundred dollars.

Sac and Fox half-breeds. To lay off and divide the lands of the Sac and Fox half-breeds, under the first article of the treaty of fourth August, eighteen hundred and twenty-four, one thousand dollars.

Kickapoos. To complete the surveys of the Kickapoo reservations, under the twelfth article of the treaty of twenty-fourth October, eighteen hundred and thirty-two, eight hundred dollars.

Osages. To complete the north line of the Osage reservation, under the second article of the treaty of second June, eighteen hundred and twenty-five, one thousand dollars.

Kansas. To complete the north line of the Kansas reservation, under the second article of the treaty of third June, eighteen hundred and twenty-five, one thousand dollars.

Sacs and Foxes. To cover the excess of expenditure over the appropriation for running the line under the treaty with the Sacs and Foxes, and others of fifteenth July, eighteen hundred and thirty, two thousand two hundred and seventeen dollars and sixty-one cents.

Winnebagoes. To locate reservations under the fifth article of the treaty with the Winnebagoes of first August, eighteen hundred and twenty-nine, four hundred dollars.

Choctaws. To defray the expense of locating reservations, under the treaty with the Choctaws, of twenty-seventh September, eighteen hundred and thirty, three thousand five hundred dollars.

Chippewas. To pay for improvements relinquished by the Chippewas, under the sixth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, one thousand seven hundred and seventy-six dollars.

Cherokees. To pay for improvements relinquished by the Cherokees who have emigrated, under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, one hundred and thirty-nine thousand four hundred and eighteen dollars and fifty cents.

Chickasaws. For the balance of expenses of the Chickasaws, who explored the country west of the Mississippi, in eighteen hundred and thirty, and eighteen hundred and thirty-one, two thousand four hundred and twenty-six dollars and fifty-six cents.

Capture of Black Hawk. To pay expenses incurred by the Indian agent at Prairie du Chien, in collecting Indians to attend the treaties at Rock Island, in eighteen hun-

dred and thirty-two, and in effecting the capture of Black Hawk and the Prophet, six hundred and twelve dollars and seventy-four cents.

To pay the expenses of a delegation of New York Indians in exploring the country west of the Mississippi, four thousand five hundred dollars.

New York Indians.

To pay for three thousand and fifty bushels of corn for the Choctaws, "who were suffering for want of food," three thousand six hundred and ninety dollars.

Choctaws.

To pay for one thousand bushels of corn, purchased for the relief of the Osages, one thousand dollars.

Osages.

To pay balances ascertained to be due by the second auditor for capitation money, provisions, &c., under the treaty of twenty-fourth January, eighteen hundred and twenty-six, with the Creeks, nine thousand seven hundred and seventy dollars and twelve cents.

Creeks.

To compensate the Western Cherokees for stock and other property lost during their emigration under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, fourteen thousand three hundred and sixty-four dollars and fifty cents.

Western Cherokees.

To remunerate the Western Cherokees for spoliations on their property under the fifth article of the treaty of sixth May, eighteen hundred and twenty-eight, one thousand and forty-three dollars.

To defray expenses incurred in holding treaties with the Pawnees, Ottoes, and Missouriias, and the general treaty of peace, and councils with the Osages, and Kickapoos, six thousand two hundred and sixteen dollars.

Pawnees, &c.

That the Secretary of War ascertain the amount paid by Joseph M. Street and Stephen W. Kearney, for attorney fees in defending a suit or suits brought against them for acts done in performance of their official duties by Jean Brunette, not to exceed four hundred and fifty dollars, to be paid out of any money in the treasury, not otherwise appropriated.

Fees paid by J. M. Street and S. W. Kearney.

For expense of surveys and marking certain lines in the Creek and Cherokee country, by order of the commissioners under the treaties with said tribes of Indians, of the fourteenth of February, eighteen hundred and thirty-three, sixty-two dollars and fifty cents.

Creeks and Cherokees.

For improvements abandoned on ceded lands under the treaty with the Cherokee Indians, of the eighth of July, eighteen hundred and seventeen, five hundred dollars.

Cherokees.

For refunding to Colonel Pierre Minard, six hundred and eighty-one dollars, eighty-two cents, for that sum advanced by him to the commissioners for holding treaties with the Winnebagoes, Chippewas, Ottoways and Pattawatamies.

Colonel Pierre Minard.

For expenses of thirteen delegates from the Eastern Cherokees, five thousand six hundred dollars.

Eastern Cherokees.

For the expenses of five delegates from the Western Cherokees, two thousand six hundred dollars.

Western Cherokees.

For the purchase of a house and lot at Prairie du Chien, for the use of the agency at that place, two thousand five hundred dollars.

House at Prairie du Chien.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. CVI.—*An Act further to provide for the location of certain lands in the territory of Arkansas.*

June 28, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proviso to the act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth day of January, eighteen hundred and thirty, be, and the same is hereby, repealed, and all locations of said claims made, or to be made, shall in no wise be affected by said proviso.

Proviso of act of January 13, 1830, ch. 3, repealed.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CXXV.—*An Act in reference to pre-emption rights in the south-eastern district of Louisiana.* (a)

Register of land office to issue patents in conformity with acts of April 5, 1832, ch. 65, and June 15, 1832, ch. 140.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the pre-emption rights granted by the register and receiver of the land office at New Orleans, to certain individuals claiming the same, in the south-eastern land district of Louisiana, under the act of Congress approved fifth April, eighteen hundred and thirty-two, entitled "An act supplementary to the several laws for the sale of public lands," and the act approved fifteenth June, eighteen hundred and thirty-two, entitled "An act to authorize the inhabitants of the state of Louisiana to enter the back lands," be, and they are hereby, confirmed; and the register of the land office is hereby directed to issue patent certificates accordingly.

Re-survey on Bayou St. Vincent confirmed.

SEC. 2. *And be it further enacted,* That the re-survey made under the supervision of the surveyor general of Louisiana, of certain lands on the bayou St. Vincent, in sections designated as numbers one hundred and ten and one hundred and forty-three, in township thirteen of range fourteen east, situate in the south-eastern district of Louisiana, and which re-survey purports to include the improvements of the actual settlers within its limits, claiming the right of pre-emption thereto under the act of fifth April, eighteen hundred and thirty-two, aforesaid, be, and the same is hereby, confirmed; and payments may be made and patents issued in accordance therewith.

1832, ch. 65.

APPROVED, JUNE 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CXXVI.—*An Act giving the consent of Congress to an agreement or compact entered into between the state of New York and the state of New Jersey, respecting the territorial limits and jurisdiction of said states.* (b)

WHEREAS commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of the state

(a) See notes of acts which have been passed relative to pre-emption of public lands, vol. iv. p. 420.

(b) The decisions of the Supreme Court upon the compacts between states have been:—

The compact of 1789, between Virginia and Kentucky, was valid under that provision of the constitution which declares, that "no state shall, without the consent of Congress, enter into agreement or compact with another state, or with a foreign power:" no particular mode, in which that consent must be given, having been prescribed by the constitution; and Congress having consented to the admission of Kentucky into the Union, as a sovereign state, upon the conditions in the compact. *Green v. Biddle*, 8 Wheat. 1; 5 Cond. Rep. 369.

The compact is not invalid upon the ground of its surrendering rights of sovereignty, which are inalienable. *Ibid.*

To bring a case within the protection of the seventh article in the compact between Virginia and Kentucky, it must be shown that the title to the land asserted, is derived from the laws of Virginia, prior to the separation of the two states. *Lessee of Fisher v. Cockerell*, 5 Peters, 247.

The construction of a compact between the states of Virginia and Pennsylvania, is not to be settled by the laws or decisions of either of those states, but by the compact itself. *Marlatt v. Silk et al.*, 11 Peters, 1.

The decision of a question of the construction of such a compact, is not to be attested from the decisions of either state, but is one of an international character. *Ibid.*

It is a part of the general right of sovereignty, belonging to independent nations, to establish and fix the disputed boundaries between the respective limits; and the boundaries so established and fixed by compact between nations, become conclusive upon all the subjects and citizens thereof, and bind their rights; and are to be treated, to all intents and purposes, as the real boundaries. This right is expressly recognised to exist in the states of the Union, by the constitution of the United States; and is guarded in its exercise by a single limitation or restriction, only, requiring the consent of Congress. *Ibid.*

The compact between New Jersey and Pennsylvania, recognises the right of fishery in riparian owners on the Delaware. *Bennet v. Boggs, Baldwin's C. C. R.* 60.

The plaintiffs, in the circuit court of West Tennessee, instituted an ejectment for a tract of land held under a Virginia military land warrant, situate south of a line called Mathews' line, and south of Walker's line; the latter being the established boundaries between the states of Kentucky and Tennessee, as fixed by a compact between those states, made in 1820; by which compact, although the jurisdiction over the territory to the south of Walker's line, was acknowledged to belong to Tennessee, the titles to lands held under Virginia military land warrants, &c.; and grants from Kentucky, as far south as "Mathews' line," were declared to be confirmed: the state of Kentucky having, before the com-

of New Jersey, for the purpose of agreeing upon and settling the jurisdiction and territorial limits of the two states, have executed certain articles, which are contained in the words following, viz :

Agreement made and entered into by and between Benjamin F. Butler, Peter Augustus Jay and Henry Seymour, commissioners duly appointed on the part and behalf of the state of New York, in pursuance of an act of the legislature of the said state, entitled "An act concerning the territorial limits and jurisdiction of the state of New York and the state of New Jersey, passed January 18th, 1833, of the one part; and Theodore Frelinghuysen, James Parker, and Lucius Q. C. Elmer, commissioners duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of the said state, entitled "An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed February 6th, 1833, of the other part.

Articles of agreement.

ARTICLE FIRST. The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the Bay of New York, of the waters between Staten Island and New Jersey, and of Raritan Bay, to the main sea; except as hereinafter otherwise particularly mentioned.

ARTICLE SECOND. The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis's islands; and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned and now under the jurisdiction of that state.

ARTICLE THIRD. The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York; and of and over all the waters of Hudson river lying west of Manhattan Island

fact, claimed the right to the soil, as well as the jurisdiction over the territory, and having granted lands in the same. The compact of 1820 was confirmed by Congress. The defendants in the ejection claimed the lands under titles emanating from the state of North Carolina, in 1786, 1794, 1795; before the formation of the state of Tennessee; and grants from the state of Tennessee, in 1809, 1811, 1812, 1814, in which the lands claimed by the defendants were situated, according to the boundary of the state of Tennessee, declared and established at a time when the state of Tennessee became one of the states of the United States. The circuit court instructed the jury that the state of Tennessee, by sanctioning the compact, admitted, in the most solemn form, that the lands in dispute were not within her jurisdiction, nor within the jurisdiction of North Carolina, at the time they were granted; and that, consequently, the titles are subject to the compact: Held, by the Supreme Court, that the instructions of the circuit court were entirely correct. *Poole v. Fleeger*, 11 Peters, 185.

The seventh article of the compact between Virginia and Kentucky declares "all private rights and interests of lands within the said district (Kentucky,) derived from the laws of Virginia, prior to such separation, shall remain valid and secure under the laws of the proposed state, and shall be determined by the laws now existing in this state (Virginia)." Whatever course of legislation, by Kentucky, would be sanctioned by the principles and practice of Virginia, should be regarded as an unaffected compliance with the compact. Such are all reasonable quieting statutes. *Hawkins v. Barney's Lessee*, 5 Peters, 457.

From as early a date as the year 1705, Virginia has never been without an act of limitation; and no class of laws is more universally sanctioned by the practice of nations, and the consent of mankind, than those laws which give peace and confidence to the actual possessor and tiller of the soil. Such laws have frequently passed in review before the Supreme Court; and occasions have occurred in which they have been particularly noticed, as laws not to be impeached on the ground of violating private rights. It is impossible to take any reasonable exception to the course of legislation pursued by Kentucky on this subject. She has in fact literally complied with the compact in its most rigid construction. For she adopted the very statute of Virginia in the first instance, and literally gave her citizens the full benefit of twenty years to prosecute their suits, before she enacted the law now under consideration. As to the exceptions and provisoes, and savings in such statutes, they must necessarily be left, in all cases, to the wisdom or discretion of the legislative power. *Ibid.*

It is not to be questioned, that laws limiting the time of bringing suits constitute a part of the lex fori of every country; the laws for administering justice, one of the most sacred and important of sovereign rights and duties, and a restriction upon which must materially affect both legislative and judicial independence. It can scarcely be supposed that Kentucky would have consented to accept a limited and crippled sovereignty; nor is it doing justice to Virginia to believe that she would have wished to reduce Kentucky to a state of vassalage. Yet it would be difficult, if the literal and rigid construction necessary to exclude her from passing the limitation act were adopted, to assign her a position higher than that of a dependent on Virginia. *Ibid.*

The limitation act of the state of Kentucky, commonly known by the epithet of "the seven years law," does not violate the compact between the state of Virginia and the state of Kentucky. *Ibid.*

Articles of
agreement.

and to the south of the mouth of Spuytenduyvel creek; and of and over the lands covered by the said waters to the low water-mark on the westerly or New Jersey side thereof; subject to the following rights of property and of jurisdiction of the state of New Jersey, that is to say:

1. The state of New Jersey shall have the exclusive right of property in and to the land under water lying west of the middle of the bay of New York, and west of the middle of that part of the Hudson river which lies between Manhattan island and New Jersey.

2. The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks, and improvements, made and to be made on the shore of the said state; and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the state of New York, which now exist or which may hereafter be passed.

3. The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters, *Provided*, That the navigation be not obstructed or hindered.

ARTICLE FOURTH. The state of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull between Staten Island and New Jersey to the westernmost end of Shooter's Island in respect to such quarantine laws, and laws relating to passengers, as now exist or may hereafter be passed under the authority of that state, and for executing the same; and the said state shall also have exclusive jurisdiction, for the like purposes of and over the waters of the sound from the westernmost end of Schooter's Island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

ARTICLE FIFTH. The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten Island and New Jersey lying south of Woodbridge creek, and of and over all the waters of Raritan bay lying westward of a line drawn from the lighthouse at Prince's bay to the mouth of Mattavan creek; subject to the following rights of property and of jurisdiction of the state of New York, that is to say:

1. The state of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten Island.

2. The state of New York shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of Staten Island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the state of New Jersey, which now exist or which may hereafter be passed.

3. The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten Island and the middle of the said waters: *Provided*, That the navigation of the said waters be not obstructed or hindered.

ARTICLE SIXTH. Criminal process, issued under the authority of the state of New Jersey, against any person accused of an offence committed within that state; or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid; or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the third article; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof; may be served upon any of the said waters within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon, or fastened to, the shore of the state of

New York, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

Articles of agreement.

ARTICLE SEVENTH. Criminal process issued under the authority of the state of New York against any person accused of an offence committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the fifth article; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state, to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New Jersey.

ARTICLE EIGHTH. This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the Congress of the United States.

Done in four parts (two of which are retained by the commissioners of New York, to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state,) at the city of New York this sixteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three and of the independence of the United States the fifty-eighth.

B. F. BUTLER,
 PETER AUGUSTUS JAY,
 HENRY SEYMOUR,
 THEO. FRELINGHUYSEN,
 JAMES PARKER,
 LUCIUS Q. C. ELMER.

And whereas the said agreement has been confirmed by the legislatures of the said states of New York and New Jersey, respectively,—therefore, *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the consent of the Congress of the United States is hereby given to the said agreement, and to each and every part and article thereof, *Provided,* That nothing therein contained shall be construed to impair or in any manner affect, any right of jurisdiction of the United States in and over the islands or waters which form the subject of the said agreement.

Consent of Congress given to the agreement.
 Proviso.

APPROVED, June 28, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXVIII.—*An Act to amend an act entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sackett's Harbour, a port of delivery; and out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be paid, annually, to the collector of the port of Franklin, in the district of Teche, in lieu of all demands against the government of the United States for house rent, storage, and so forth, the sum of two hundred and fifty dollars.

Vol. ii. 657.
 Annual pay of the collector of the district of Teche.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXIX.—*An Act to enable the Secretary of State to purchase the papers and books of General Washington.*

Appropriation for papers and books of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any [money] in the treasury not otherwise appropriated—to enable the Secretary of State to purchase the manuscript papers and a portion of the printed books of General George Washington, the said papers and books to be deposited and preserved in the Department of State; under the regulations the Secretary shall prescribe.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXX.—*An Act authorizing the President of the United States to cause certain roads to be opened in Arkansas.*

Appropriations for Roads from Helena to the mouth of Cache river;

From Jackson to fort Smith, and From Strong's to Batesville.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of ten thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the President of the United States to cause a road to be opened from Helena, in Arkansas territory, to the mouth of Cache river; also, a road leading from Jackson, in the county of Lawrence, by Liberty and Fayetteville, in the county of Washington, in the aforesaid territory, to fort Smith: *And also,* That the sum of seven thousand dollars be, and the same is hereby appropriated, for the purpose of locating and constructing a road from Strong's, (a point on the military road from Memphis to Little Rock,) by Leitchfield in Jackson county, to Batesville, in the territory of Arkansas.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXI.—*An Act to suspend the operations of certain provisoes of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two.*

Part of act of July 14, 1832, ch. 227, suspended.

Secretary of Treasury to report to Congress.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisoes of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended until the third day of March next. And in the mean time, that the Secretary of the Treasury be directed to inquire, whether it be necessary to except any manufactured articles from the operation and effect of those provisoes, by reason of the difficulty of ascertaining the duties chargeable upon such articles, and that he make report to Congress, at the commencement of the next session.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXII.—*An Act for the better organization of the United States' "marine corps."*⁵³ (a)

Of what the corps shall consist.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the pas-

(a) *Marine Corps.* (Notes to act of July 11, 1798, vol. i. p. 594.)

A brevet field officer of the marine corps is not entitled by law to brevet pay and rations by reason of his commanding a separate post or station, if the force under his command would not entitle a brevet

sage of this act, the marine corps shall consist of the following officers, non-commissioned officers, musicians and privates, viz: one colonel commandant, one lieutenant colonel, four majors, thirteen captains, twenty first lieutenants, twenty second lieutenants, one adjutant and inspector, one paymaster, one quartermaster, one assistant quartermaster, one sergeant major, one quartermaster sergeant, one drum major, one fife major, eighty sergeants, eighty corporals, thirty drummers, thirty fifers, and one thousand privates.

SEC. 2. *And be it further enacted*, That the said corps shall, at all times, be subject to, and under the laws and regulations which are, or may hereafter be, established for the better government of the navy, except when detached for service with the army by order of the President of the United States.

Subject to the laws of navy, except when on service with the army.

SEC. 3. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates, shall take the oath prescribed by law, and that all enlistments shall be for the term of four years, during which period marines, so enlisted, shall be, and are hereby, exempt from all personal arrest for debt or contract.

Enlistments to be for four years and marines exempt from arrest for debt.

SEC. 4. *And be [it] further enacted*, That the officers of the marine corps shall be, in relation to rank, on the same footing as officers of similar grades in the army: *Provided*, That no officer of the marine corps shall exercise command over any navy yard or vessel of the United States.

Rank of officers as in the army. Proviso.

SEC. 5. *And be it further enacted*, That the officers of the marine corps shall be entitled to, and receive the same pay, emoluments, and allowances, as are now, or may hereafter be, allowed to officers of similar grades in the infantry of the army, except the adjutant and inspector, who shall be entitled to the same pay, emoluments and allowances, as are received by the paymaster of said corps; and the non-commissioned officers, musicians and privates, shall be entitled to the same pay, rations, clothing, and allowances, as they now receive.

Pay and emoluments.

SEC. 6. *And be it further enacted*, That the staff of said corps shall be taken from the captains or subalterns of the corps.

Staff.

SEC. 7. *And be it further enacted*, That the commissions of the officers now in the marine corps shall not be vacated by this act, and that the President of the United States may, during the recess of the Senate, first by promotions according to rank and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

Existing commissions not to be vacated.

SEC. 8. *And be it further enacted*, That the President be, and he is hereby, authorized to prescribe such military regulations for the discipline of the marine corps, as he may, in his judgment, deem expedient.

President to prescribe regulations.

SEC. 9. *And be it further enacted*, That so much of the fourth section of an act, passed the sixth day of July, in the year one thousand eight hundred and twelve, entitled "An act making further provision for the army of the United States, and for other purposes," or of any other act as

Parts of former acts repealed. July 6, 1812, ch. 137.

field officer of infantry of similar grade to brevet pay and rations. *United States v. Freeman*, 3 Howard, 556.

The act of 1834, ch. 132, does not repeal the first section of the act of 1818, ch. 64, regulating the pay and emoluments of brevet officers. *Ibid.*

The fifth section of the act of June 30, 1834, ch. 132, is a repeal of the joint resolution of the two houses of Congress of May 25, 1832, respecting the pay and emoluments of the marine corps. *Ibid.*

By force of the army regulation No. 1125, authorizing the issue of double rations to officers commanding departments, posts, and arsenals, a brevet field officer of marines is entitled to double rations. But the fact must be shown that he had such a command of a post or arsenal at which double rations had been allowed according to the army regulations. *Ibid.*

The fact of appropriations having been made by Congress for double rations does not determine what officers are entitled to them. *Ibid.*

A brevet field officer of the marine corps, commanding a separate post, without a command equal to his brevet rank, is not entitled to his brevet pay and emoluments. But if such brevet officer is a captain in the line of his corps, and in the actual command of a company, whether he is in the command of a post or not, he is entitled to the compensation given by the act of March 2, 1827, ch. 42. *Ibid.*

Act of July 6,
1812, ch. 137.

Act of April
16, 1818, ch. 64.

Proviso.

Conflicting acts
repealed.

authorizes the President to confer brevet rank on such officers of the army or of the marine corps, as shall have served ten years in any one grade, shall be, and the same hereby is, repealed; and so much of the second section of an act passed the sixteenth of April, one thousand eight hundred and eighteen, entitled "An act regulating the pay and emoluments of brevet officers," as may be applicable to the clause herein above repealed, shall be, and the same hereby is, also repealed: *Provided*, Nothing herein shall affect any right already acquired by ten years' expired service to brevet rank.

SEC. 10. *And be it further enacted*, That all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIII.—*An Act to increase and regulate the pay of the surgeons and assistant surgeons of the army.*

Appointment
of surgeons and
assistants.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, no person shall receive the appointment of assistant surgeon in the army of the United States, unless he shall have been examined and approved by an army medical board, to consist of not less than three surgeons or assistant surgeons, who shall be designated for that purpose by the Secretary of War; and no person shall receive the appointment of surgeon in the army of the United States, unless he shall have served at least five years as an assistant surgeon, and unless, also, he shall have been examined by an army medical board constituted as aforesaid.

Pay and emolu-
ments.

SEC. 2. *And be it further enacted*, That the surgeons in the army of the United States shall be entitled to receive the pay and emoluments of a major; and the assistant surgeons, who shall have served five years, shall be entitled to receive the pay and emoluments of a captain; and those who shall have served less than five years, the pay and emoluments of a first lieutenant; and that said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

Increase of
rations after ten
years' service.

SEC. 3. *And be it further enacted*, That every surgeon and assistant surgeon, who shall have served faithfully ten years in these grades, respectively, shall be entitled to receive an increase of rations, per day, equal to the number of rations to which he may be entitled under this act.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIV.—*An Act concerning naval pensions, and the navy pension fund.*

Act of June
28, 1832, ch. 151,
prolonged for
five years.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the provisions and benefits of the act of the twenty-eighth of June, one thousand eight hundred and thirty-two, entitled "An act further to extend the pension heretofore granted to the widows of persons killed, or who died in the naval service," be continued for another term of five years to all those widows who have heretofore had the benefit of the same, and the same are hereby also extended to the widows of officers, seamen and marines, who have died in the naval service since the first day of January, one thousand eight hundred and twenty-four, or who may die in said service, by reason of disease contracted, or of casualties by drowning or otherwise, or of injuries received while in the line of their duty, and the pensions of such widows shall commence from the passage of this act: *Provided*, That every pension hereby granted shall cease on the death or marriage of such widow.

Proviso.

SEC. 2. *And be it further enacted*, That there be reimbursed to the navy pension fund, out of any money in the treasury not otherwise appropriated, the cost of the stock of the Bank of Columbia, heretofore purchased by the commissioners of the said fund, and which now remains unredeemed by the said bank, together with interest thereon from the period at which said bank ceased to pay interest, to the time of the reimbursement, herein directed to be made; and at the period of said reimbursement, the said stock shall be transferred by the Secretary of the Navy, to the treasurer of the United States.

Cost of stock of the Bank of Columbia to be reimbursed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXV.—*An Act to establish a port of entry at Natchez, in Mississippi, and creating certain ports of delivery, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the ports, harbours, shores and waters of the Mississippi river, within the state of Mississippi, be, and they are hereby constituted a collection district, by the name of the Natchez district, and a port of entry shall be established at Natchez for said district, and a collector shall be appointed, who shall give the usual bond required of such officers, and be entitled to a salary of five hundred dollars per annum.

Port of entry at Natchez.

SEC. 2. *And be it further enacted*, That all vessels proceeding to the said port of Natchez, from any port or place in foreign countries, shall stop and report her arrival at the port of New Orleans; and before such vessel shall proceed on her voyage to the said port of Natchez, it shall be the duty of the collector of the said port of New Orleans to order on board any such vessel, a custom-house officer, who shall remain on board such vessel until her arrival at the said port of Natchez; and it shall be the duty of such custom-house officer, to take possession and safely keep all the papers belonging to such vessel, having relation to the freight or cargo on board, which papers he shall deliver to the collector of the port of Natchez, immediately after his arrival at that port; and any such vessel, which shall depart from the said port of New Orleans, without such custom-house officer on board, shall be subject to all the pains and penalties provided for by law for a violation of the revenue laws of the United States.

Vessels bound for Natchez to report at New Orleans.

SEC. 3. *And be it further enacted*, That the expenses of the custom-house officer which may be put on board of any such vessel at New Orleans, from the time of his being put on board, until his return to New Orleans, shall be paid by the owner or owners of such vessel.

Owners to pay expenses of custom-house officer.

SEC. 4. *And be it further enacted*, That Dorchester, in the state of Massachusetts, be, and the same is hereby, declared to be a port of delivery.

Dorchester, in Massachusetts, a port of entry.

SEC. 5. *And be it further enacted*, That from and after the passage of this act, the port of entry and delivery for the district of Philadelphia, shall be bounded by the navy yard on the south, and Gunner's run on the north; any thing in any former law to the contrary notwithstanding.

Port of entry at Philadelphia extended.

SEC. 6. *And be it further enacted*, That the town of Camden, in the district of Bridgeton, in the state of New Jersey, shall be a port of delivery, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and there shall be appointed a surveyor of the customs to reside at said port, who shall also perform the duties of an inspector, and who shall be entitled to receive the annual salary of one thousand dollars and no more.

Camden, New Jersey, a port of delivery.

SEC. 7. *And be it further enacted*, That the surveyor of the port of Camden shall be authorized to enrol and license ships or vessels to be employed in the coasting trade and fisheries, under the regulations and

Surveyor of Camden to enrol and license fishing and coasting vessels.

Act of Feb. 11,
1830, ch. 14.

provisions of the act, entitled "An act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships and vessels to be employed in the coasting trade and fisheries," passed the eleventh day of February, eighteen hundred and thirty, as to all ships and vessels belonging to that part of the district of Bridgeton, which lies northward of Alloway's creek, in the county of Salem.

Detroit collec-
tion district ex-
tended.

SEC. 8. *And be it further enacted*, That all the waters, shores, inlets and harbours of Lake Michigan, lying south of a point fifty miles north of the mouth of Grand river, on the east side, and the like distance north of the Milwaukee river on the west side of said lake, shall be, and hereby are, attached to, and made a part of, the collection district of Detroit, in the territory of Michigan, any law to the contrary notwithstanding.

Port of entry
and district of
Newark, New
Jersey.

SEC. 9. *And be it further enacted*, That, from and after the thirtieth day of September next, all that part of the state of New Jersey, lying north and east of Elizabethtown and Staten Island, extending eastward as far as the Mouth of the Kill Van Kull, where it empties into the bay of New York, with all the waters of the Passaic and Hackensack rivers, shall form a collection district, to be called the district of Newark, of which the town of Newark shall be the port of entry.

Appointment
and duties of
collector.

SEC. 10. *And be it further enacted*, That a collector for the said district shall be appointed, to reside at Newark, who shall give bond with security, as provided by law, for the true and faithful performance of the duties of his office, in the sum of five thousand dollars, and shall be allowed three per centum on all moneys received on account of the duties arising on goods, wares, and merchandise imported, and on the tonnage of ships and vessels; and the said collector shall also receive, in addition to his other fees and emoluments allowed by law, the annual sum of two hundred and fifty dollars, subject, however, to the limitations provided by law.

Custom-house
at Frenchman's
bay to be remov-
ed to Ellsworth.

SEC. 11. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to remove the seat of the custom-house of the district of Frenchman's bay, in the state of Maine, from its present situation to the town of Ellsworth, in said district.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVI.—*An Act for the repair of the Mars Hill military road, in the state of Maine.*

Appropriation
for the repair of
road.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of six thousand dollars be, and the same is hereby, appropriated for the repair of Mars Hill military road, in the state of Maine, which sum shall be paid out of any money in the treasury not otherwise appropriated; the state of Maine having, by a resolve approved the eighth day of March, eighteen hundred and thirty-four, agreed to assume the preservation and repair from and after the first day of January, eighteen hundred and thirty-five, on condition that the said road shall be put in a state of repair by the United States prior to the first day of January aforesaid: *Provided*, That no toll shall be received or collected for the passage of any wagon or carriage, laden with the property of the United States, or any cannon or military stores belonging to the United States, or to any of the states composing this Union.

Proviso.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVII.—*An Act authorizing the selection of certain Wabash and Erie Canal lands in the state of Ohio.*

Commissioners
to select lands.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in lieu of lands sold or

otherwise disposed of by the United States, within the state of Ohio, and which would otherwise become the property of the state of Indiana, in virtue of "An act to grant a certain quantity of land to the state of Indiana for the purpose of aiding said state in opening a canal to connect the waters of the Wabash river with those of Lake Erie," approved March second, eighteen hundred and twenty-seven, the canal commissioners authorized to locate the lands granted as aforesaid for the use of the canal within the state of Ohio, be, and they are hereby, authorized to select an equal quantity from the alternate sections, which would otherwise belong to the United States in the division under said act, or from the lands recently acquired by purchase from the Indians, or from other lands in the neighbourhood near the line of said canal as they shall think proper; and the lands thus selected shall be vested and disposed of for the use of the canal as other lands appropriated by the act aforesaid.

SEC. 2. *And be it further enacted*, That in case of selections of lands authorized by the previous section, and which agreeably to treaty stipulations, may hereafter be sold by the United States for the benefit of the Indians, a sum equal to the amount for which said lands may have been sold, shall be paid over, by the Treasurer of the United States, to the commissioners authorized to receive the same, for the use and benefit of said canal.

SEC. 3. *And be it further enacted*, That until the lands granted by the aforesaid act of March second, eighteen hundred and twenty-seven, shall be selected and the selections contemplated by this act shall be made, the public lands on and near the line of said canal, and liable to the selections aforesaid, shall be reserved from sale.

SEC. 4. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office, to furnish said commissioners with a perfect map of the surveyed lands on and contiguous to the Maumee river within the state of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States.

APPROVED, June 30, 1834.

Act of March 2, 1827, ch. 51.
Act of March 2, 1845, ch. 42.

Former selections, if sold, to be paid for to commissioners.
Act of March 2, 1827, ch. 51.

Lands reserved from sale until selections are made.

Commissioners to be furnished with maps.

CHAP. CXXXVIII.—*An Act to procure a bust, in marble, of the late Chief Justice Ellsworth.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the joint committee of the two Houses of Congress on the library be, and they are hereby, authorized and required to contract with a suitable American artist for the execution, in marble, and delivery in the room of the Supreme Court of the United States, a bust of the late Chief Justice Ellsworth.

SEC. 2. *And be it further enacted*, That, for the purpose of carrying this act into effect, there be, and hereby is, appropriated, eight hundred dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.
June 30, 1834.

American artist to be employed to execute bust.

Appropriation.

CHAP. CXXXIX.—*An Act concerning the duty on lead.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duty of three cents a pound on lead in pigs, bars, and sheets, shall be considered as extending to all articles manufactured of lead, the value of which does not exceed double that of the raw material of which it is composed, excepting lead manufactured into pipes, and old and scrap lead, which shall pay the

STATUTE I.
June 30, 1834.

Duty on lead in pigs, &c., extended to lead in other forms.

Proviso.

same duties as heretofore: *Provided*, That nothing in this section shall extend to, or affect, the present duties on red and white lead, shot, sugar of lead, and litharge.

Act of March 2, 1833, ch. 55.

SEC. 2. *And be it further enacted*, That the provisions of the aforesaid section shall be subject to the reductions in duties provided for in the act entitled "An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," passed second March, one thousand eight hundred and thirty-three.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXL.—*An Act to aid in the construction of certain roads in the territory of Michigan.*

Appropriations for roads in Michigan territory.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be, and hereby are appropriated, out of any money in the treasury, not otherwise appropriated, to be expended under the direction of the Secretary of War, in the territory of Michigan, the following sums of money, and for the following purposes, to wit:

To aid in opening and constructing the territorial road, between Sheldon's on the Chicago road, and the mouth of the river St. Joseph's, of Lake Michigan, the sum of twenty thousand dollars.

To aid in opening and constructing the territorial road between Port Lawrence and Adrian, the sum of ten thousand dollars.

To aid in opening and constructing the territorial road between Niles and the mouth of the river Saint Josephs, the sum of ten thousand dollars.

To aid in opening the territorial road from the village of Clinton, on the Chicago road, through the county of Jackson, to the rapids of Grand river, the sum of eight thousand dollars.

To aid in opening, bridging, and constructing a territorial road from Vistula, westwardly, to the Indiana state line, in the direction of Chicago, ten thousand dollars: *Provided, however*, That the moneys to be thus expended shall be applied upon such parts of the several roads as may be most difficult to make, and running principally through the lands of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLI.—*An Act for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas.*

Appropriation for road.
Act of July 3, 1832, ch. 153.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of fifteen thousand dollars be, and the same is hereby appropriated for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLII.—*An Act making certain allowances, and granting certain arrears, to the captains and subalterns of the United States corps of marines.*

Act of March, 1827, ch. 42, extended to marine corps.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, the Secretary of the Navy be, and he is hereby, author-

ized to extend the benefits of the act of March, one thousand eight hundred and twenty-seven, entitled "An act giving certain compensation to the captains and subalterns of the army of the United States in certain cases," to the captains and subalterns of the corps of United States marines under similar cases.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to cause to be settled by the proper accounting officers of the department, all arrearages of pay and allowances which shall be found due the said captains and subalterns of the United States corps of marines from the period at which the act of March, one thousand eight hundred and twenty-seven, above referred to, went into operation, up to the passage of this act; and that the same be paid out of any moneys in the treasury, not otherwise appropriated.

Arrearages of pay to be allowed.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLIII.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and thirty-four.*

June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for certain fortifications, viz:

Appropriations for fortifications of the United States.

For the preservation of Castle Island, and repair of fort Independence, seventeen thousand five hundred and ninety-four dollars.

For a fort on George's Island, one hundred thousand dollars.

For fort Adams, one hundred thousand dollars.

For repairing fort Columbus and Castle Williams, fifty thousand dollars.

For a fort on Throg's neck, East river, New York, one hundred thousand dollars.

For rebuilding fort Delaware, seventy-nine thousand dollars.

For fort Monroe, fifteen thousand dollars.

For fort Calhoun, one hundred and twenty thousand dollars.

For fortifications in Charleston harbour, fifty thousand dollars.

For the fort at Cockspur island, Georgia, eighty-two thousand dollars.

For completing a fort at Pensacola, forty thousand dollars.

For a fort on Foster's bank, Florida, fifty thousand dollars.

For a fort at Grand Terre, Louisiana, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

For completing fort Macon, repairing the wharf and dyke, and for the protection of the site of that work, seven thousand dollars.

In satisfaction of a contract made with John Urquhart for attending the troops of the United States, as surgeon from fort Mitchell to Charleston and thence to Point Comfort, four hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLIV.—*An Act making appropriations for building lighthouses, light-boats, beacons and monuments, for the year one thousand eight hundred and thirty-four.*

June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following appropriations be, and the same are hereby made and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide by contract, for building lighthouses, light-boats, beacons and monuments, to wit:

Appropriations for lighthouses, &c.

- Maine. *State of Maine.*—For a lighthouse to be erected on a proper site on Fort Point, at the entrance of Penobscot bay, five thousand dollars.
 For a lighthouse to be erected on a proper site on Negro Island, at the entrance of Camden harbour, four thousand five hundred dollars.
 For the erection of a beacon on the end of a shoal in George's river, round which is formed what is called the Great Bend, three thousand dollars.
 For a fog-bell to be placed on a proper site on Cape Elizabeth, near the eastern lighthouse, seven hundred dollars.
- Massachusetts. *State of Massachusetts.*—For the erection of a lighthouse on the north-easterly part of Straitmouth harbour, five thousand dollars.
 For building a lighthouse at the entrance of the harbour of Marblehead, four thousand five hundred dollars.
 For a beacon at the harbour in the mouth of Bass river, between the towns of Dennis and Yarmouth, at or near the site where the former beacon was erected, one thousand five hundred dollars.
 For a beacon or monument on Deer Island Point, Boston harbour, three thousand five hundred dollars.
 For a monument of stone on the Island of Nix's Mate, in the harbour of Boston, one thousand dollars.
- Rhode Island. *State of Rhode Island.*—For the removal of the lighthouse now on the north end of Goat Island, near the harbour of Newport, to a point north of its present site, agreeably to a survey and estimate heretofore made by direction of the Department of War, thirteen thousand six hundred dollars.
- New York. *State of New York.*—For a lighthouse on a proper site at or near the mouth of Esopus creek and near Saugerties, five thousand dollars.
 For beacon lights on the piers at the mouth of Genesee river and Sodus bay, four thousand dollars.
 For a lighthouse or beacon-light on one of the piers at the harbour of Oswego, on Lake Ontario, three thousand six hundred and sixty-six dollars. For placing four lights on the following points in Hudson's river, viz: one near Van Wie's point; one near Castleton; one on the island near New Baltimore; and one at Kinderhook, six hundred dollars. For a lighthouse on a proper site at the mouth of Oswegatchie, a tributary stream of the St. Lawrence, five thousand dollars.
 For a lighthouse on the flats in Hudson's river, above Stuyvesant's Landing, in the place of the one carried away by the ice, five thousand dollars.
- New Jersey. *State of New Jersey.*—For a lighthouse on or near the shoals of Barnegat, to be erected in such a manner as to be distinguished from the adjacent lights, six thousand dollars.
- Delaware. *State of Delaware.*—For rebuilding the lighthouse on Brandywine shoals, in the bay of Delaware, thirty thousand dollars: *Provided, however,* That before the commencement of the work, a resurvey, plan and estimate shall be made, and that then it shall be in the discretion of the proper department to enter upon the rebuilding of the said lighthouse, or to report such survey, plan and estimate to Congress as shall be considered best for the public interest.
 For building a lighthouse at the mouth of Christiana river, six thousand dollars.
- Maryland. *State of Maryland.*—For a bell, and fixing the same on the lighthouse at Cove point, in Chesapeake bay, one thousand two hundred dollars.
 For building a lighthouse on Love point, the sum of five thousand five hundred dollars.
- Virginia. *State of Virginia.*—For a light-boat to be anchored in a proper place at the mouth of the Rappahannock river, twelve thousand dollars.
- North Carolina. *State of North Carolina.*—For a light-boat to be anchored in a proper place at or near the mouth of Roanoke river, ten thousand dollars.

State of Georgia.—For two small beacon-lights on Cockspur island, at the mouth of Savannah river, four thousand dollars. Georgia.

State of Ohio.—For a beacon-light on a proper site for Huron river, two thousand six hundred dollars. Ohio.

For a beacon-light on the pier at Conneant river, two thousand dollars. For a beacon-light on a proper site for Ashtabula creek, two thousand dollars.

For completing the beacon-light on the pier at Grand river, one thousand four hundred and fifty-six dollars. For a beacon-light on the pier at Cunningham harbour, two thousand dollars.

State of Louisiana.—For the erection of a lighthouse on a proper site at Port Ponchartrain, five thousand dollars. Louisiana.

For a lighthouse at a proper site at the mouth of Chifuncté river, five thousand dollars.

State of Mississippi.—For a lighthouse at the mouth of Pearl river, five thousand dollars. Mississippi.

State of Indiana.—For a lighthouse on a proper site at or near Michigan city, five thousand dollars. Indiana.

Territory of Michigan.—For a lighthouse on a proper site at Pottawatamie island, situated at the entrance of Green Bay, in Lake Michigan, five thousand dollars. For securing and completing the foundation of the lighthouse on Turtle island, in Lake Erie, two thousand dollars. Michigan.

Territory of Florida.—For a lighthouse on a proper site at Musquito inlet on the Atlantic coast, eleven thousand dollars. Florida.

For rebuilding the lighthouse at St. John's river, ten thousand five hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLV.—*An Act to carry into full effect the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, with the Creek nation of Indians, so far as relates to the claims of citizens of Georgia against said Indians, prior to eighteen hundred and two.* June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause to be adjusted and paid to full indemnity, out of any money in the treasury not otherwise appropriated, all claims of citizens of the state of Georgia, under the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, between the United States and the Creek nation of Indians, which have not been heretofore adjusted and paid, on the following principles: all claims which have not been heretofore adjusted and paid, founded upon the capture and detention, or destruction of property by said Indians, prior to the passage of the act regulating intercourse with Indian tribes, if satisfactorily established, shall be allowed and paid. 1802, ch. 13.

SEC. 2. *And be it further enacted,* That there shall be an interest of six per cent. per annum allowed and paid on the amount of all claims which have been or may be adjusted and established under the provisions of the aforesaid treaty, to be calculated from the date of the origin of the claims, respectively, up to the date of the adjustment and establishment of said claims respectively: *Provided, however,* That the amount which may be allowed under the provisions of this act as interest shall be calculated on the amount of the value of the property so taken or destroyed; the amount of the principal of each claim to be determined by the value of the property for which it was and is made, at the time said property was so taken or destroyed: *And provided, also,* That the aggregate amount of the claims which have been, and hereafter may be, paid, shall not exceed the sum of two hundred and fifty thousand dollars. Six per cent. interest allowed. Proviso. Proviso.

Apportionment to be made, if whole amount of the adjusted claims exceed \$250,000.

SEC. 3. *And be it further enacted*, That if, on the adjustment of the aforesaid claims, the amount which may be found due, and the amount already paid, with the interest to be calculated as aforesaid, shall exceed the sum of two hundred and fifty thousand dollars, the President be, and he is hereby, authorized to cause a fair and equitable distribution of the unexpended balance of the said two hundred and fifty thousand dollars to be made among the claimants, in proportion to the amount which may have been, or shall be, found due to them, respectively: *Provided*, That the principal of the respective claims shall be first paid.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLVI.—*An Act making appropriations for the public buildings and grounds, and for other purposes.*

Appropriations for the public buildings and grounds.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say:

For alterations and repairs of the Capitol, including the repairs of the roof, six thousand two hundred and ninety-two dollars.

For laying pipes for the purpose of draining the east and west reservoirs, two thousand six hundred and thirty-three dollars.

For salary of the gardener employed in superintending the Capitol square, and other public grounds, one thousand dollars.

For lighting lamps, keeping the grounds and walks in order, and planting in the Capitol square, and adjacent public grounds, four thousand eight hundred and twenty-six dollars.

For alterations and repairs of the President's house, flooring the terraces, and erecting stables, six thousand six hundred and seventy dollars.

For the gardener's salary, and for labourers employed upon the grounds and walks at the President's house, and for planting, two thousand eight hundred and fifty dollars.

For paving foot-ways at the north front of the President's house, and making a gravel carriage way, thirteen thousand seven hundred and forty-four dollars.

For planting trees and repairing the fence in Lafayette square, north of the President's house, one thousand dollars.

For purchasing and planting trees and shrubs for the Pennsylvania Avenue, and the public grounds, three thousand dollars.

For keeping in repair the public fire engines, two hundred dollars.

For rebuilding the wall and constructing a culvert and drain at the burying-ground, one thousand nine hundred and sixty-six dollars.

For the actual deficiency in the appropriation made during the last year for the enclosure of the public vault and the improvement of the public burying-ground, one hundred and ninety-three dollars and eighty-nine cents.

For completing the water-works at the President's house, the executive buildings, and the Capitol, one thousand and fifty-two dollars.

For completing the furniture of the President's house, six thousand dollars.

For excess of expenditures beyond the appropriations made by the late commissioner of the public buildings during the last year, twenty-two thousand nine hundred and thirteen dollars and eighty-four cents.

For erecting a monument over the remains of the late Major General Jacob Brown, one thousand dollars; the work to be done under the direction of the Secretary of War.

For the construction of an ornamental hydrant of marble of the west fountain in front of the Capitol, one thousand and twenty-two dollars.

SEC. 2. *And be it further enacted*, That the regulations of the city of Washington for the preservation of the public peace and order, be extended to all the public buildings and public grounds belonging to the United States within the city of Washington whenever the application of the same shall be requested by the commissioner of the public buildings.

APPROVED, June 30, 1834.

City regulations for preserving order extended to public buildings and grounds on request of commissioner.

STATUTE I.

June 30, 1834.

CHAP. CXLVII.—*An Act to complete the improvements on Pennsylvania Avenue.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes:

To pay outstanding claims for work done on Pennsylvania Avenue, three thousand seven hundred and twenty dollars.

To finish foot pavements, entrances of tunnels or sewers, and side drains, three thousand seven hundred and seventy dollars.

To repair the north end of Tiber bridge, by casting a stone arch over the broken part, and protecting it by a stone wall, one thousand two hundred dollars.

For expenses already incurred in removing the dust and mud from the surface of Pennsylvania Avenue, one hundred and forty-three dollars and seventy three cents.

To keep Pennsylvania Avenue in repair, four hundred dollars.

APPROVED, June 30, 1834.

Appropriations for Pennsylvania Avenue.

STATUTE I.

June 30, 1834.

CHAP. CXLVIII.—*An Act authorizing a road to be cut out from the northern boundary of the territory of Florida, by Marianna, to the town of Appalachicola, within the said territory.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause to be surveyed, marked, and located, a route for a road from the line which divides the state of Alabama from the territory of Florida, by Marianna, in the county of Jackson, to the town of Appalachicola, on the bay of Appalachicola, in said territory, and when said survey, and the final location of the said road, shall be made, if he approve the same, he is hereby authorized to cause it to be cut out; and for that purpose the sum of twelve thousand dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated: *Provided*, That the said road shall be cut out by contract, and that no money shall be paid at any time on account thereof, but on the certificate of an engineer of the army of the United States that the said road has been faithfully constructed according to the terms of such contract.

For the survey of a road from Tallahassee to Cape Florida, five hundred dollars.

For a survey of the east pass into Appalachicola bay and river, to ascertain the practicability and cost of removing obstructions and improving the harbour, five hundred dollars.

APPROVED, June 30, 1834.

Appropriations for roads and harbour in the territory of Florida.

STATUTE I.

June 30, 1834.

CHAP. CXLIX.—*An Act to mark and open a road from Columbiu to Little Rock, in the territory of Arkansas.*

Appropriation for a road from Columbia to Little Rock in Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of ten thousand dollars be, and the same hereby is, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of marking and cutting out a road from Columbia, in Chicot county, to Little Rock, in the territory of Arkansas, to be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CL.—*An Act making an appropriation for the improvement of the navigation of the Hudson river, in the state of New York.*

Appropriation for the improvement of Hudson river.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of seventy thousand dollars be, and the same is hereby, appropriated towards the improvement of the navigation of the Hudson river, and the removal of obstructions therein, according to the plan submitted to the House of Representatives by the Department of War, under date of March thirty, eighteen hundred and thirty-two; which sum shall be paid out of any money in the treasury not otherwise appropriated, and shall be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLI.—*An Act to authorize an extra session of the legislative council of the territory of Michigan.*

Council of Michigan to hold an extra session.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislative council of the territory of Michigan be, and hereby is authorized to hold an extra session, to commence at such time during the present year, as the governor of said territory may think proper; of which time it shall be his duty to give the members of said council due notice.

Appropriation for expenses.

SEC. 2. *And be it further enacted,* That for the purpose of defraying the incidental expenses, and for paying the members of the legislative council for travel and for additional time employed as aforesaid, the sum of three thousand dollars be, and is hereby appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLII.—*An Act authorizing the purchase of live oak frames for a frigate and sloop of war, and for other naval purposes.*

Appropriation for purchase of live oak frames for a frigate and sloop of war.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to direct the procurement, in the usual mode, of a live oak frame for a frigate to be called the Paul Jones, and a live oak frame for a sloop of war to be called the Levant; and the sum of fifty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for that purpose.

District attorney of Massachusetts and solicitor of trea-

SEC. 2. *And be it further enacted,* That the district attorney of Massachusetts, and the solicitor of the treasury of the United States, be, and they are hereby, authorized and required to defend the suit, insti-

tuted by the heirs of John Harris, for land connected with the navy yard at Charlestown, Massachusetts, in the courts of that district, and, with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal or writ of error.

surey to defend suit of heirs of John Harris.

SEC. 3. *And be it further enacted*, That, for completing and furnishing the hospitals at the several naval stations, the sum of sixty-four thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Navy.

Appropriations for Furnishing hospitals at naval stations;

SEC. 4. *And be it further enacted*, That the sum of twenty-four thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for building two new naval magazines at the navy yards Charlestown, Massachusetts, and Brooklyn, New York.

Two new naval magazines at Charlestown and Brooklyn.

SEC. 5. *And be it further enacted*, That the sum of forty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of a naval store ship.

Naval store ship.

SEC. 6. *And be it further enacted*, That the sum of seventy thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of two small vessels of war, to be rigged as brigs or schooners, at the discretion of the Navy Department.

Two vessels of war.

SEC. 7. *And be it further enacted*, That the sum of four thousand five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repair of the damage occasioned by the late gale at the navy yard, Brooklyn, New York.

Repair of navy yard at Brooklyn, New York

SEC. 8. *And be it further enacted*, That the district attorney of the eastern district of the state of Virginia and the solicitor of the treasury of the United States be, and they are hereby, authorized and required to defend the suit instituted by John Harper, or by any other person or persons whatsoever, for land connected with the navy yard, [yard] Gosport, in said state, in the courts of that district, and with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal, writ of error, or otherwise.

Attorney of eastern district of Virginia and solicitor of the treasury to defend suit of John Harper.

SEC. 9. *And be it further enacted*, That the sum of eight thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repairs of the marine barracks, at the different stations, and for erecting an hospital at head-quarters.

Appropriation for repairs of marine barracks and erection of hospital.

SEC. 10. *And be it further enacted*, That no part of the balance of the appropriation heretofore made to rebuild the frigate Macedona [Macedonia] and not yet expended, shall be carried to the surplus [fund] until one year after said frigate shall be launched.

Balance of appropriation for Macedonia not to be carried to surplus, &c.

SEC. 11. *And be it further enacted*, That the sum of two thousand seven hundred and ten dollars and seventy-five cents, be, and the same is hereby, reappropriated out of any money in the treasury not otherwise appropriated towards building a wharf at Pensacola.

Appropriation for building a wharf at Pensacola.

SEC. 12. *And be it further enacted*, That a sum not exceeding six thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to purchase a site near the navy yard [yard] at Brooklyn, New York, on which to erect marine barracks and officers' quarters, *Provided*, That the present site or one on the hospital grounds should not be found so convenient and useful for that purpose.

Appropriation for site to erect marine barracks near the navy yard, Brooklyn. Proviso.

SEC. 13. *And be it further enacted*, That the sum of one hundred and twenty-nine dollars be appropriated out of any moneys in the treasury not otherwise appropriated for compensation to Lieut. Thomas Dornin

Compensation to Lieut. Thomas Dornin.

for extra services in surveying the coast in eighteen hundred and twenty-seven, the said sum having been carried to the surplus fund from a former appropriation.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLIII.—*An Act to provide for the payment of claims, for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, during the late war with the Indians on the frontiers of Illinois and Michigan territory.*

Officers and other persons to be paid the value of property lost.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any officer, field or staff, volunteer, ranger, cavalry or other persons engaged in the service of the United States in the late campaigns against the Indians on the frontiers of Illinois and Michigan territory, who have sustained damage without any fault or negligence on their part, respectively, by the loss of a horse, or necessary equipage in battle, or by the loss of a horse that was wounded in battle, and afterwards died of said wound while in the service, or who has sustained damage by the reason of the loss of any horse which, in consequence of the United States failing to supply sufficient forage, while engaged in said service, died, or was unavoidably abandoned and lost, or who has sustained damage by reason of the loss of any horse, because the rider was dismounted and separated from his horse, and ordered to do military duty on foot at a station detached from his horse, or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided,* That if any payment shall have been made to any officer, soldier or other person as aforesaid, for the use and risk, or for forage after the death or abandonment of said horse, said amount shall be deducted from the value thereof, unless said officer or soldier or other person shall have satisfied the paymaster at the time he made the payment, or shall hereafter show by proof, that he was remounted, in which case the deduction shall only extend to the time such officer, soldier, or other person, served on foot; *And provided, also,* That if any payment shall have been made, to any officer or soldier on account of clothing, such payment shall be deducted from the value of his horse and accoutrements; *And provided further,* That no claim shall be allowed under the provisions of this section until the best evidence which the nature of the case will admit of, shall be produced before the accounting officer showing the number of horses lost, in manner aforesaid, the time when lost, and the name of the owner.

Proviso.

Proviso.

Proviso.

Volunteers or draughted militiamen to be allowed for arms, &c.

SEC. 2. *And be it further enacted,* That any person who, in the Indian wars aforesaid, has acted in the military service of the United States as a volunteer or draughted militiaman, and who has furnished himself with arms and military accoutrements, and has sustained damage by the capture, or destruction of the same, without any fault or negligence on his part, or who has lost the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.

Parent or guardian to receive compensation on account of deceased minors.

SEC. 3. *And be it further enacted,* That in all instances where any minor has been engaged in the military service as aforesaid, during the Indian wars as aforesaid, and was provided with a horse or equipments, or with military accoutrements by his parent or guardian, and has since deceased, without paying for said property, and the same was lost, captured, destroyed, or abandoned, in the manner before mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof, that he is entitled thereto by having furnished the same.

SEC. 4. *And be it further enacted,* That the third auditor of the trea-

surey shall adjudicate and decide such claims as may be presented against the United States, under the provisions of this act, *Provided*, That every claim which exceeds the sum of two hundred dollars, instead of deciding the same, the said third auditor shall report the whole of the proof to Congress at its next session after taking and closing such proof; and he shall have power by constituting a commission or otherwise, to take testimony in any case where he shall think the interests of the United States require further testimony to be taken.

Third auditor to adjudicate claims. Proviso.

SEC. 5. *And be it further enacted*, That any sum of money to any amount not exceeding two hundred dollars so allowed by said third auditor shall be paid by the Secretary of the Treasury, out of any money in the treasury not otherwise appropriated.

Amount allowed by auditor to be paid, if not exceeding \$200.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CLV.—*An Act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto.*

June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act providing for the purchase by the United States of the rights of the Washington Bridge Company, in the District of Columbia, and for the erection of a public bridge on the site thereof," which passed the fourteenth day of July, eighteen hundred and thirty-two, and the act entitled "An act in relation to the Potomac bridge," which passed the second day of March, eighteen hundred and thirty-three, be, and the same are hereby repealed, except so much of the former as authorized the purchase of the rights of the Washington Bridge Company.

Former acts repealed, except so much as authorized a purchase from the Washington Bridge Comp. Act of 1832, ch. 225. Act of 1833, ch. 65.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required, to contract for the reconstruction, on the site of the present bridge, across the river Potomac, of a bridge, on the plan of that originally constructed there by the Washington Bridge Company: *Provided*, That the draw at the southern channel of the river be not less than sixty-six feet, and at the northern channel than thirty-five feet; that a space or spaces not exceeding in all, one thousand six hundred and sixty feet of the shoal or shoals, over which the present bridge passes, may be filled up by a solid embankment; in part, if convenient, of earth obtained by dredging the river channel: *And provided, also*, That the entire cost of said embankment, and such reconstruction shall not on the whole exceed one hundred and thirty thousand dollars, which sum is hereby appropriated thereto, out of any money in the treasury not hitherto appropriated.

Secretary of Treasury to contract for bridge similar to that formerly built. Size of draws.

SEC. 3. *And be it further enacted*, That the claims of Orange H. Dibble, for labour, materials, or any other expenses upon the said bridge, be ascertained by the Secretary of the Treasury, as nearly as the same can be done, and be laid before Congress at its next session for its examination. And the Secretary of the Treasury is hereby directed to pay him in the mean time such sum as will reimburse to him the actual loss incurred by him, in making preparation for the construction of the said bridge: *Provided*, The amount paid shall not exceed twenty thousand dollars, said payment to be made out of any money in the treasury not otherwise appropriated.

Claims of O. H. Dibble to be ascertained and actual loss paid, if not exceeding \$20,000.

APPROVED, June 30, 1834.

Appropriation.

STATUTE I.

CHAP. CLVI.—*An Act to authorize the sale of lots in the town of St. Mark's, in Florida.*

June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United

Register and receiver to sell.

States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale, at public auction, of one-fourth of the lots in the town of St. Mark's, in the territory of Florida, according to the plan of the surveyor general of said territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVII.—*An Act supplementary to the act to amend the several acts respecting copyrights. (a)*

Deeds of transfer to be recorded, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all deeds or instruments in writing for the transfer or assignment of copyrights, being proved or acknowledged in such manner as deeds for the conveyance of land are required by law to be proved or acknowledged in the same state or district, shall and may be recorded in the office where the original copyright is deposited and recorded; and every such deed or instrument that shall in any time hereafter be made and executed, and which shall not be proved or acknowledged and recorded as aforesaid, within sixty days after its execution, shall be judged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration without notice.

Fees of clerk of district court.

SEC. 2. *And be it further enacted,* That the clerk of the district court shall be entitled to such fees for performing the services herein authorized and required, as he is entitled to for performing like services under existing laws of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVIII.—*An Act to provide for rebuilding the frigate Congress.*

Appropriation for rebuilding the frigate Congress.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred and eighty-one thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to rebuild the frigate Congress; and no part of said sum shall be carried to the surplus fund, notwithstanding any general provision in any other act to the contrary.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLX.—*An Act authorizing the Secretary of the Navy to make experiments for the safety of the steam engine.*

Secretary of Navy to test engine devised by B. Phillips.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and empowered to examine and test the steam engine devised by Benjamin Phillips, of Philadelphia, and to [employ] said Phillips, and such other persons as he may deem proper to make the experiment.

Other improvements to be tested, and result reported to Congress.

SEC. 2. *And be it further enacted,* That a discretionary power be vested in the Secretary of the Navy to examine and test such other improvements in the same line, as may hereafter be presented, and for that purpose to employ such person or persons as he may deem proper; and that he report to Congress, as soon as may be, the result of any experiment made in pursuance of this act.

Appropriation to carry act into execution.

SEC. 3. *And be it further enacted,* That, for the purpose of carrying this act into execution, the sum of five thousand dollars, out of any

(a) For notes of acts relating to copyrights, see vol. ii. p. 171.

money in the treasury not otherwise appropriated, be, and is hereby, appropriated, and placed at the disposal of the Secretary of the Navy.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXI.—*An Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. (a)*

Be it enacted by the Senate and House of Representatives of the United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the territory of Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

Parts of territory of United States to be deemed Indian country.

SEC. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians (in the Indian country) without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district shall have power to revoke and cancel the same, whenever the person licensed shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the commissioner of Indian affairs, for his approval or disapproval.

Persons trading with Indians to be licensed.

SEC. 3. *And be it further enacted,* That any superintendent or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such applicant, has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent, to the commissioner of Indian affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.

License may be refused, or, if granted, may be revoked.

SEC. 4. *And be it further enacted,* That any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all mer-

Forfeiture of goods and fine for trading without license.

(a) Notes of the acts for the preservation of peace with the Indian tribes, vol. ii. p. 6. Notes of the regulations of intercourse with the Indian tribes, vol. ii. p. 139.

Notes of the decisions of the Supreme Court of the United States on the subject of the Indians, vol. ii. p. 146.

Note of obsolete acts relating to trading houses with the Indians, vol. ii. p. 652.

chandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Citizens only to be licensed.

SEC. 5. *And be it further enacted*, That no license to trade with the Indians shall be granted to any persons except citizens of the United States: *Provided*, That the President shall be authorized to allow the employment of foreign boatmen and interpreters, under such regulations as he may prescribe.

Proviso.

Foreigners to obtain passports to go into the Indian country.

SEC. 6. *And be it further enacted*, That if a foreigner shall go into the Indian country without a passport from the War Department, the superintendent, agent, or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

Indians only to barter with Indians.

SEC. 7. *And be it further enacted*, That if any person other than an Indian shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

No other persons than Indians to trap in their limits.

SEC. 8. *And be it further enacted*, That if any person, other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy, any peltries or game, except for subsistence in the Indian country, such person shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and peltries so taken.

Cattle not to be driven for forage on Indian lands.

SEC. 9. *And be it further enacted*, That if any person shall drive, or otherwise convey any stock of horses, mules, or cattle, to range and feed on any land belonging to any Indian or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

Intruders may be removed.

SEC. 10. *And be it further enacted*, That the superintendent of Indian affairs, and Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President of the United States is authorized to direct the military force to be employed in such removal.

Settlers may be driven off by military force.

SEC. 11. *And be it further enacted*, That if any person shall make a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or shall survey or shall attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary to remove from the lands as aforesaid any such person as aforesaid.

Purchases or grants from Indians invalid.

SEC. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided, nevertheless*, That it shall be lawful for the agent or agents of any state who may be present at any treaty held with Indians under the authority of the United States, in the presence and with the approbation of the commissioner or commis-

Proviso.

sioners of the United States appointed to hold the same, to propose to, and adjust with the Indians, the compensation to be made for their claim to lands within such state, which shall be extinguished by treaty.

SEC. 13. *And be it further enacted*, That if any citizen or other person residing within the United States or the territory thereof, shall send any talk, speech, message, or letter to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

Penalty for sending any talk, &c. to disturb the peace.

SEC. 14. *And be it further enacted*, That if any citizen, or other person, shall carry or deliver any such talk, message, speech, or letter, to or from any Indian nation, tribe, chief, or individual, from or to any person or persons whatsoever, residing within the United States, or from or to any subject, citizen, or agent of any foreign power or state, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

Persons carrying such talk, &c. fined.

SEC. 15. *And be it further enacted*, That if any citizen or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief, or individual, to war against the United States, or to the violation of any existing treaty; or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars.

Persons corresponding with foreign powers, with similar intent, to be fined.

SEC. 16. *And be it further enacted*, That where, in the commission, by a white person, of any crime, offence, or misdemeanor, within the Indian country, the property of any friendly Indian is taken, injured or destroyed, and a conviction is had for such crime, offence, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, injured, or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the treasury of the United States: *Provided*, That no such Indian shall be entitled to any payment, out of the treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: *And provided*, also, That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the treasury, as aforesaid.

Property of friendly Indians injured or destroyed to be paid for in twice its value.

Proviso.

Proviso.

SEC. 17. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy the property of any person lawfully within such country, or shall pass from the Indian country into any state or territory inhabited by citizens of the United States, and there take, steal, or destroy, any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent, or sub-agent, to make return of his doings to the commissioner of Indian affairs, that such further steps may be taken as shall be proper, in the opinion of the

Indemnification to be made for property taken or destroyed in certain cases.

President, to obtain satisfaction for the injury; and, in the mean time, in respect to the property so taken, stolen or destroyed, the United States guaranty, to the party so injured, an eventual indemnification: *Provided*, That, if such injured party, his representative, attorney, or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claim upon the United States for such indemnification: *And provided, also*, That, unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong, receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom, and paid to the party injured; and, if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the treasury of the United States: *Provided*, That nothing herein contained shall prevent the legal apprehension and punishment of any Indians having so offended.

Superintendents, &c., may take depositions.

SEC. 18. *And be it further enacted*, That the superintendents, agents, and sub-agents, within their respective districts, be, and are hereby, authorized and empowered to take depositions of witnesses touching any depredations, within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

Arrest and trial of accused Indians.

SEC. 19. *And be it further enacted*, That it shall be the duty of the superintendents, agents, and sub-agents, to endeavour to procure the arrest and trial of all Indians accused of committing any crime, offence, or misdemeanor, and all other persons who may have committed crimes or offences within any state or territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize; and the President may direct the military force of the United States to be employed in the apprehension of such Indians, and also, in preventing or terminating hostilities between any of the Indian tribes.

Penalty for disposing of spirituous liquors to Indians.

SEC. 20. *And be it further enacted*, That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, or sub-agent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person, in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, excepting military supplies as mentioned in this section.

Search may be made for such liquors.

Liquors may be destroyed.

Penalty for setting up a distillery.

SEC. 21. *And be it further enacted*, That if any person whatever shall, within the limits of the Indian country, set up or continue any distillery

for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent, or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

Sec. 22. *And be it further enacted,* That in all trials about the right of property in which an Indian may be a party on one side, and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

Trials about property, burden of proof to rest on the white person.

Sec. 23. *And be it further enacted,* That it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the President may direct, in the apprehension of every person who shall or may be found in the Indian country, in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the territory or judicial district in which said person shall be found, to be proceeded against in due course of law; and also, in the examination and seizure of stores, packages, and boats, authorized by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: *Provided,* That no person apprehended by military force as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of maltreating any such person while in custody, shall suffer such punishment as a court-martial shall direct.

Apprehension of persons violating the provisions of this act.

Proviso.

Sec. 24. *And be it further enacted,* That for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the state of Missouri: west, by the Mexican possessions; south, by Red river; and east, by the west line of the territory of Arkansas and the state of Missouri, shall be, and hereby is, annexed to the territory of Arkansas; and that for the purpose aforesaid, the residue of the Indian country west of the said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river, shall be, and are hereby, severally annexed to the territory in which they are situate.

Indian country annexed, for legal purposes, to the district of Missouri, &c.

Sec. 25. *And be it further enacted,* That so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: *Provided,* The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

Laws of the United States in force in certain cases.

Proviso.

Sec. 26. *And be it further enacted,* That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territories, such offenders may be there apprehended, and transported to the territory or judicial district having jurisdiction of the same.

Offenders against this act may be arrested in any state or territory.

Sec. 27. *And be it further enacted,* That all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any state or territory in which the defendant shall be arrested or found,) the one half to the use of the informer, and the other half to the use of the United States, except when the prosecution

How penalties shall be sued for.

shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Proceedings
against goods or
other property.

SEC. 28. *And be it further enacted*, That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person prosecuting on behalf of the United States to proceed against such goods, or other property, in the manner directed to be observed in the case of goods, wares, or merchandise brought into the United States in violation of the revenue laws.

Certain acts
and parts of
acts repealed.

Act of May 13,
1800, ch. 68.

Act of March
30, 1802, ch. 13.

Act of April
29, 1816, ch. 165.

Act of March
3, 1817, ch. 43.

1817, ch. 92.

Act of April
16, 1818, ch. 66.

Act of April
20, 1818, ch. 104.

Act of Feb.
24, 1819, ch. 43.

Act of March
3, 1819, ch. 87.

Act of March
3, 1819, ch. 79.

Act of May 6,
1822, ch. 58.

Act of May 18,
1824, ch. 89.

Act of May 25,
1824, ch. 146.

Act of May 20,
1826, ch. 126.

Act of Feb.
25, 1831, ch. 32.

Proviso.

1802, ch. 13.

Proviso.

Agents for the
Western territory
to execute
duties, &c.

SEC. 29. *And be it further enacted*, That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: An act to make provision relative to rations for Indians, and to their visits to the seat of government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March thirty, eighteen hundred and two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the "Act establishing trading-houses with the Indian tribes," approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts," approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled "An act for establishing trading-houses with the Indian tribes, and for other purposes," (a) approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent for the Osage Indians west of the state of Missouri and territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth, and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five, eighteen hundred and thirty-one: *Provided, however*, That such repeal shall not effect [affect] any rights acquired, or punishments, penalties, or forfeitures incurred, under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided also*, That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

SEC. 30. *And be it further enacted*, That until a western territory shall be established, the two agents for the Western territory, as provided in the act for the organization of the Indian department, this day ap-

(a) This act is entitled "An act to continue in force, for a further time, the act entitled 'An act for establishing trading-houses with the Indian tribes, and for other purposes,'" March 3, 1819, ch. 79.

proved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country or for such tribes as the President may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendent, shall cease: *Provided*, That no additional compensation shall be allowed for such services.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CLXII.—*An Act to provide for the organization of the department of Indian affairs.* (a)

June 30, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duties of the governors of the territories of Florida and Arkansas, as superintendents of Indian affairs, shall hereafter cease, and the duties of the governor of the territory of Michigan, as superintendent of Indian affairs, shall cease from and after the establishment of a new territory, embracing the country west of Lake Michigan, should such a territory be established. And while the governor of the said territory of Michigan continues to act as superintendent of Indian affairs, he shall receive therefor, the annual sum of one thousand dollars, in full of all allowances, emoluments, or compensation for services in said capacity.

Duties of governors of Florida and Arkansas as superintendents to cease.

Duties of governor of Michigan to cease. Salary.

SEC. 2. *And be it further enacted*, That there shall be a superintendency of Indian affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi river, the superintendent of which shall reside at St. Louis, and shall annually receive a salary of fifteen hundred dollars.

A superintendent to reside at St. Louis.

SEC. 3. *And be it further enacted*, That superintendents of Indian affairs shall, within their several superintendencies, exercise a general supervision and control over the official conduct and accounts of all officers and persons employed by the government in the Indian department, under such regulations as shall be established by the President of the United States; and may suspend such officers and persons from their office or employments, for reasons forthwith to be communicated to the Secretary of War.

Duties of superintendents.

SEC. 4. *And be it further enacted*, That the following Indian agents shall

(a) *Acts relating to the Indians, passed subsequent to June 30, 1834.*

An act to regulate, in certain cases, the disposition of the proceeds of land ceded by the Indian tribes, January 9, 1837, ch. 1.

An act to extend the jurisdiction of the district court for the district of Arkansas, March 1, 1837, ch. 16.

Provision for the removal of the Creeks, act of March 3, 1837, ch. 31.

An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of 1830, with the Choctaw Indians, March 3, 1837, ch. 39.

An act to authorize and sanction the sales of reserves provided for the Creek Indians in the treaty of March 24, 1832, in certain cases, and for other purposes, March 3, 1837, ch. 41.

An act to provide for the payment of the annuities which will become due and payable to the Great and Little Osages, in the year 1838, and for other purposes, January 16, 1838, ch. 3.

An act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of 1830, with the Choctaw Indians," February 22, 1838, ch. 13.

Choctaw lands reserved from sale or pre-emption, June 22, 1838, ch. 119, sec. 1.

An act to authorize the issuing of patents to the last bona fide transferee of reservations under the treaty between the United States and the Creek tribe of Indians, which was concluded on the 24th March, 1832. July 5, 1838, ch. 161.

An act to provide for the location and temporary support of the Seminole Indians removed from Florida, February 13, 1839, ch. 24.

Brothertown Indians, March 3, 1839, ch. 83. Act of June 15, 1844, ch. 54.

An act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, concluded in September, 1830. August 23, 1842, ch. 187.

An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed 30th June, 1834. June 17, 1844, ch. 103.

Indian agents
to be appointed.

be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for [the] term of four years, and who shall give bond, with two or more securities, in the penal sum of two thousand dollars, for the faithful execution of the same, and shall receive the annual compensation of fifteen hundred dollars.

Two agents for the Western territory.

An agent for the Chickasaws.

An agent for the eastern Cherokees.

An agent for the Florida Indians.

An agent for the Indians in the state of Indiana.

An agent at Chicago.

An agent at Rock island.

An agent at Prairie du Chien.

An agent for Michilimackinac and the Sault Sainte Marie.

An agent for the Saint Peter's.

An agent for the Upper Missouri.

Agencies dis-
continued.

And the following agencies shall be discontinued at the periods herein mentioned, that is to say :

The Florida agency, from and after the thirty-first day of December next.

The Cherokee agency, from and after the thirty-first day of December next.

The Indiana agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

The Chicago agency, from and after the thirty-first day of December next.

The Rock Island agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

Proviso.

And all other agencies, not provided for in this act, from and after the passing thereof: *Provided*, That the limitation of the said agencies shall not be construed to prevent the President of the United States from discontinuing the same at an earlier period. And the President shall be, and he is hereby authorized, whenever he may judge it expedient, to discontinue any Indian agency, or to transfer the same, from the place or tribe designated by law, to such other place or tribe as the public service may require. And every Indian agent shall reside and keep his agency within or near the territory of the tribe for which he may be agent, and at such place as the President may designate, and shall not depart from the limits of his agency without permission. And it shall be competent for the President to require any military officer of the United States to execute the duties of Indian agent.

Sub-agents to
be appointed by
the President.

SEC. 5. *And be it further enacted*, That a competent number of sub-agents shall be appointed by the President, with an annual salary of seven hundred and fifty dollars each, to be employed, and to reside wherever the President may direct, and who shall give bonds, with one or more sureties, in the penal sum of one thousand dollars, for the faithful execution of the same. But no sub-agent shall be appointed who shall reside within the limits of any agency where there is an agent appointed.

Persons in of-
fice to hold for
their terms.

SEC. 6. *And be it further enacted*, That nothing herein contained shall be construed to require the re-appointment of persons now in office, until the expiration of their present term of service; but the commissions of all Indian agents and sub-agents, now in office, shall expire on the fourth day of March next, unless sooner terminated.

Limits of the
agencies, and
duties of agents.

SEC. 7. *And be it further enacted*, That the limits of each agency and sub-agency shall be established by the Secretary of War, either by tribes or by geographical boundaries. And it shall be the general duty of Indian agents and sub-agents to manage and superintend the intercourse with the Indians within their respective agencies, agreeably to law; to obey all legal instructions given to them by the Secretary of War, the commis-

sioner of Indian affairs, or the superintendent of Indian affairs, and to carry into effect such regulations as may be prescribed by the President.

SEC. 8. *And be it further enacted*, That the President of the United States may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects of any kind, on account of the Indian department.

SEC. 9. *And be it further enacted*, That an interpreter shall be allowed to each agency, who shall receive an annual salary of three hundred dollars: *Provided*, That where there are different tribes in the same agency, speaking different languages, one interpreter may be allowed, at the discretion of the Secretary of War, for each of the said tribes. Interpreters shall be nominated, by the proper agents, to the War Department for approval, and may be suspended, by the agent, from pay and duty, and the circumstances reported to the War Department for final action; and blacksmiths shall, in like manner, be employed wherever required by treaty stipulations, and such blacksmiths shall receive an annual compensation of four hundred and eighty dollars: and if they furnish their shop and tools, an additional sum of one hundred and twenty dollars; and their assistants shall be allowed an annual compensation of two hundred and forty dollars. And wherever farmers, mechanics, or teachers are required by treaty stipulations to be provided, they shall be employed under the direction of the War Department, and shall receive an annual compensation of not less than four hundred and eighty dollars, nor more than six hundred dollars. And in all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties. And where any of the tribes are, in the opinion of the Secretary of War, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe.

SEC. 10. *And be it further enacted*, That the compensation prescribed by this act shall be in full of all emoluments or allowances whatsoever: *Provided, however*, That where necessary, a reasonable allowance or provision may be made for offices and office contingencies: *And provided, also*, That where persons are required, in the performance of the duties under this act, to travel from one place to another, their actual expenses, or a reasonable sum in lieu thereof, may be allowed them: *And provided also*, That no allowance shall be made to any person for travel or expenses in coming to the seat of government to settle his accounts, unless thereto required by the Secretary of War: *And provided, also*, That no person shall hold more than one office at the same time under this act, nor shall any agent, sub-agent, interpreter, or person employed under this act, receive his salary while absent from his agency or employment, without leave of the superintendent, or Secretary of War: *Provided*, Such absence shall, at no one time, exceed sixty days.

SEC. 11. *And be it further enacted*, That the payment of all annuities or other sums stipulated by treaty to be made to any Indian tribe, shall be made to the chiefs of such tribe, or to such person as said tribe shall appoint; or if any tribe shall appropriate their annuities to the purpose of education, or to any other specific use, then to such person or persons as such tribe shall designate.

SEC. 12. *And be it further enacted*, That it shall be lawful for the President of the United States, at the request of any Indian tribe to which any annuity shall be payable in money, to cause the same to be paid in goods, purchased as provided in the next section of this act.

SEC. 13. *And be it further enacted*, That all merchandise required by any Indian treaty for the Indians, payable after making of such treaty,

Additional security may be required of persons intrusted with disbursements.

Interpreters.

Proviso.

Blacksmiths, &c.

Compensation prescribed to be in full. Provisoes.

Annuities to be paid to chiefs or other persons appointed by the tribe.

Annuities, if requested, to be paid in goods.

Purchase of merchandise.

shall be purchased under the direction of the Secretary of War, upon proposals to be received, to be based on notices previously to be given; and all merchandise required at the making of any Indian treaty shall be purchased under the order of the commissioners, by such person as they shall appoint, or by such person as shall be designated by the President for that purpose. And all other purchases on account of the Indians, and all payments to them of money or goods, shall be made by such person as the President shall designate for that purpose. And the superintendent, agent, or sub-agent, together with such military officer as the President may direct, shall be present, and certify to the delivery of all goods and money required to be paid or delivered to the Indians. And the duties required by any section of this act, of military officers; shall be performed without any other compensation than their actual travelling expenses; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects of any kind, for the benefit of the Indians, shall settle their accounts, annually, at the War Department, on the first day of October; and copies of the same shall be laid, annually, before Congress at the commencement of the ensuing session, by the proper accounting officers; together with a list of the names of all persons to whom money, goods, or effects had been delivered within said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquents, if any, in forwarding their accounts according to the provisions of this act; and, also, a list of the names of all persons appointed or employed, under this act, with the dates of their appointment or employment, and the salary and pay of each.

Persons employed in the Indian department not to be concerned in trade.

SEC. 14. *And be it further enacted*, That no person employed in the Indian department shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall forfeit the sum of five thousand dollars, and upon satisfactory information of such offence being laid before the President of the United States, it shall become his duty to remove such person from the office or situation he may hold.

Domestic animals and implements to be furnished Indians west of the Mississippi.

SEC. 15. *And be it further enacted*, That the President shall be, and he is hereby, authorized to cause any of the friendly Indians west of the Mississippi river, and north of the boundary of the Western territory, and the region upon Lake Superior and the head of the Mississippi, to be furnished with useful domestic animals and implements of husbandry, and with goods, as he shall think proper: *Provided*, That the whole amount of such presents shall not exceed the sum of five thousand dollars.

Rations to Indians visiting military posts.

SEC. 16. *And be it further enacted*, That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered.

President to prescribe rules and regulations.

SEC. 17. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized to prescribe such rules and regulations as he may think fit, for carrying into effect the various provisions of this act, and of any other act relating to Indian affairs, and for the settlement of the accounts of the Indian department.

Conflicting acts repealed.

SEC. 18. *And be it further enacted*, That all acts or parts of acts, contrary to the provisions of this act, shall be, and the same are hereby, repealed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXIII.—*An Act in addition to the "Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March third, eighteen hundred and twenty-five.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever any criminal convicted of any offence against the United States, shall be imprisoned, in pursuance of such conviction, and of the sentence thereupon, in the prison or penitentiary of any state or territory, such criminal shall in all respects be subject to the same discipline and treatment, as convicts sentenced by the courts of the state or territory, in which such prison or penitentiary is situated; and while so confined therein, shall also be exclusively under the control of the officers having charge of the same, under the laws of the said state or territory.

APPROVED, June 30, 1834.

Act of March 3, 1825, ch. 66.

Persons convicted of a criminal offence against United States to be treated as convicts of the state or territory.

STATUTE I.

June 30, 1834.

CHAP. CLXIV.—*An Act increasing the salaries of the judges of the United States for the territories of Michigan, Arkansas, and Florida.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be allowed and paid, annually, to each of the judges of the United States for the territories of Michigan, Arkansas, and Florida, the sum of three hundred dollars, in addition to the salaries now allowed by law to the said judges, respectively.

SEC. 2. *And be it further enacted,* That this act shall take effect from the first day of January, eighteen hundred and thirty-four, and that the several sums authorized to be paid, shall be paid out of any money in the treasury, not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the increased salary allowed by this act, shall only be paid to such judges in the territories of Florida and Arkansas, as are not now allowed the extra compensation under the act of May, 1828, providing for the adjudication of land claims, and shall take effect as to the remainder, when the extra pay aforesaid shall no longer be paid.

APPROVED, June 30, 1834.

Additional salary to judges of Michigan, Arkansas, and Florida.

Act to take effect from January 1, 1834.

To be paid only to such as are not allowed extra compensation under act of May, 1828, ch. 70.

STATUTE I.

June 30, 1834.

CHAP. CLXV.—*An Act making compensation for certain diplomatic services, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be allowed and paid to W. H. D. C. Wright, to supply the deficiency of a former appropriation, in payment of the balance found due to him in the adjustment of his accounts, and for his diplomatic services at the court of Brazil, after the death of Mr. Tudor, and before the arrival of Mr. Brown, the sum of five thousand and thirty-seven dollars.

Also, to the state of Maine, to reimburse the expense of supporting certain American citizens, in prison at Fredericton, in New Brunswick, seven hundred and seventy-five dollars.

Also, to John Adams Smith, Nathaniel Niles, and J. C. Pickett, secretaries of legation, a compensation for their services as chargés des affaires, at the rate of four thousand five hundred dollars per annum, during the time that they were actually left in charge of the affairs of the legations to which they were attached, deducting therefrom the amount already paid to them as secretaries of legation; the aforesaid sums to be paid out of any money in the treasury not otherwise appropriated.

Deficiency in former appropriation to be paid to W. H. D. C. Wright.

State of Maine to be reimbursed for supporting prisoners.

J. A. Smith, N. Niles, and J. C. Pickett to receive compensation.

Salary of J. C. Pickett.

To James C. Pickett, secretary of legation, left in charge of the affairs of the United States at Bogota, on the termination of the mission of Mr. Moore, one quarter's salary, for the expense of his return to the United States, five hundred dollars.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVI.—*An Act repealing certain acts of the legislative council of the territory of Florida.*

Acts imposing higher duties on slaves belonging to non-residents repealed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all such acts or parts of acts, passed by the legislative council of the territory of Florida, as may impose a higher or greater tax on the slaves or other property of non-resident citizens, than is imposed on the slaves or other property of resident citizens of said territory, be, and the same are hereby, repealed, and declared null and void.

Punishment for enforcing such acts.

SEC. 2. *And be it further enacted,* That if any person shall attempt to enforce any of the acts, or parts of acts, passed by the legislative council of the territory of Florida, as aforesaid, by demanding or receiving any tax, imposition, or assessment authorized or prescribed thereby, such person shall, on conviction thereof, be punished by fine not exceeding two hundred dollars, or by imprisonment not exceeding six months, or either or both of said punishments.

County of Leon to elect two additional members of council.

SEC. 3. *And be it further enacted,* That the county of Leon, in the territory of Florida, shall be authorized to elect two additional members to the legislative council, on the first Monday in September next, and it shall be lawful for the legislative council to designate by law the election districts, in such manner as to ensure an equality of representation to each.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVII.—*An Act to relinquish the reversionary interest of the United States in a certain Indian reservation lying between the rivers Mississippi and Desmoins.*

Lands relinquished, and to be vested in certain half-breeds of Sacs and Fox Indians.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the right, title, and interest which might accrue or revert to the United States to the reservation of land, lying between the rivers Desmoins and Mississippi, which was reserved for the use of the half-breeds belonging to the Sacs and Fox nations, now used by them, or some of them, under a treaty made and concluded between the United States and the Sacs and Fox tribes or nations of Indians, at Washington, on the fourth day of August, in the year one thousand eight hundred and twenty-four, be, and the same are hereby, relinquished and vested in the said half-breeds of the Sacs and Fox tribes or nations of Indians, who, at the passage of this act are, under the reservation in the said treaty, entitled, by the Indian title, to the same; with full power and authority to transfer their portions thereof, by sale, devise or descent, according to the laws of the state of Missouri.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVIII.—*An Act authorizing the governors of the several states to transmit, by mail, certain books and documents.*

State papers, &c. to be free of postage.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the

governors of the several states, to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective states, which may be directed by the legislatures of the several states to be transmitted to the executives of other states; and the governor of the state transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same to the governor of the state to which the same may be sent.

Character of books, &c. to be endorsed

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXX.—*An Act concerning tonnage duty on Spanish vessels. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of March next, Spanish vessels coming from the island of Cuba, or Porto Rico, either directly, or after touching at any port or place, shall pay, in the ports of the United States, such further tonnage duty in addition to the tonnage duty which may be payable under any other law, as shall be equivalent to the amount of discriminating duty that would have been imposed on the cargoes imported in the said vessels, respectively, if the same had been exported from the port of Havana, in American bottoms.

Spanish vessels from Cuba or Porto Rico, after March, to pay a tonnage duty equal to discriminating duty on American bottoms.

SEC. 2. *And be it further enacted,* That before any such vessel shall be permitted to clear out or depart from a port of the United States, with a cargo which shall be directly or indirectly destined to either of the said islands, the said vessel shall pay such further tonnage duty as shall be equivalent to the amount of discriminating duty that would be payable, for the time being, upon the cargo, if imported into the port of Havana, in an American bottom.

SEC. 3. *And be it further enacted,* That no Spanish vessel shall be allowed to clear out or depart from a port of the United States, with any goods, wares, or merchandise, except upon a destination to some port or place, in the Island of Cuba or Porto Rico, without giving bond, with approved security, in double the value of the vessel and cargo, that the said cargo, or any part thereof, shall not be landed in either of the said islands; which bond shall be cancelled on producing of certificate from an American consul, that the said cargo has been landed elsewhere, bona fide and without intention to reship it for a port in one of the said islands.

Spanish vessels clearing out, excepting for Cuba or Porto Rico, to give bond that no part of the cargo shall be landed in those islands.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, to estimate the said additional tonnage duty, and to give directions to the officers of the customs of the United States, for the collection of such duties, so as to conform the same to any variation which may take place in the discriminating duties levied on the cargoes of American vessels in the said port of Havana.

Secretary of the Treasury to estimate the additional tonnage duty, and direct officers of the customs.

SEC. 5. *And be it further enacted,* That whenever the President of the United States shall be satisfied, that the discriminating duties in favour of Spanish bottoms, levied upon the cargoes of American vessels in the ports of Cuba and Porto Rico, have been abolished, or whenever, in his opinion, a satisfactory arrangement upon the subject of the said duties shall have been made between the United States and Spain, the President is hereby authorized to declare the same by proclamation, and thereupon this act shall cease to have any further force or effect.

Act to cease, if Spain abolish her discriminating duties on American vessels in Cuba and Porto Rico.

APPROVED, June 30, 1834.

(a) See notes of the acts relating to discriminating duties, ante, p. 2.

STATUTE I.

June 30, 1834.

CHAP. CLXXI.—*An Act to authorize the President of the United States to direct transfers of appropriations in the naval service, under certain circumstances.*

President may direct transfers between close of year and the passage of new naval appropriation bill.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That upon the application of the Secretary of the Navy, the President of the United States shall have authority, whenever, in his opinion, the contingencies of the public service may require it, at any period between the close of the year, and the passage of the new naval appropriation bills, to direct that a part of the money appropriated for a particular branch of the naval service the former year to be applied to another branch of the said service; in which case, a special account of the moneys thus transferred, and of their application, shall be laid before Congress previous to its adjournment.

Account to be laid before Congress.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXXIII.—*An Act for changing the term of the district court, for the western district of Louisiana. (a)*

Term to commence on the third Monday of March.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the term of the district court of the United States for the western district of Louisiana, shall hereafter commence and be holden on the third Monday of March in each and every year, instead of the time heretofore appointed by law, and the court shall then be holden under the powers, duties, rules, and regulations heretofore prescribed by law.

Process, &c. continued to the March term.

SEC. 2. *And be it further enacted,* That all process, pleadings, motions, suits and business, heretofore begun, pending, and undetermined, shall stand continued, valid and adjourned over to the said next term of said court to be holden on the said third Monday in March next, then to be proceeded in, as if regularly returnable to, notified, or set, for that term.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXXIV.—*An Act to prohibit the corporations of Washington, Georgetown, and Alexandria, in the District of Columbia, from issuing promissory notes or bills of any denomination less than ten dollars after the period therein mentioned, and for the gradual withdrawal from circulation of all such notes or bills.*

Notes of a less denomination than ten dollars not to be issued after March 1, 1839.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall not be lawful for the corporations of Washington, Georgetown, or Alexandria, in the District of Columbia, or either of them, after the first day of March, eighteen hundred and thirty-nine, to issue any promissory note or bill of a less denomination than ten dollars: *Provided,* That it shall not be lawful for either of the corporations aforesaid to make or issue any new promissory note or bill, after the passage of this act, of a less denomination than ten dollars.

Proviso.

One-fifth of the small notes to be taken, annually, from circulation.

SEC. 2. *And be it further enacted,* That each and all the corporations aforesaid shall annually withdraw from circulation and destroy promissory notes or bills respectively issued by either of them of a less denomination than ten dollars, so as to effect a reduction of one-fifth per annum of the amount which each corporation may have in circulation of the said notes or bills; and render an account at each session to Congress, showing the amount withdrawn and extinguished as aforesaid, and the balance still in circulation.

(a) See notes of the acts which have been passed relating to the district court of Louisiana, vol. iii. p. 774.

SEC. 3. *And be it further enacted*, That, on failure of either or all of the corporations aforesaid to comply with the requirements of the second section of this act, it shall not thereafter be lawful for the corporation or corporations so failing, to issue any promissory note or bill of a less denomination than ten dollars.

APPROVED, June 30, 1834.

Notes less than ten dollars not to be issued, if 2d section of act be not complied with.

CHAP. CCXLVII.—*An Act granting land to certain exiles from Poland.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be, and is hereby, granted to Lewis Banezakiewitz and his associates, being two hundred and thirty-five exiles from Poland, transported to the United States by the orders of the Emperor of Austria, thirty-six sections of land, to be selected by them, under the direction of the Secretary of the Treasury, in any three adjacent townships of the public lands which have been, or may hereafter be surveyed, situated within the limits of the state of Illinois or the territory of Michigan.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to obtain an authenticated list of the names of the aforesaid two hundred and thirty-five Polish exiles, and cause the same to be filed and recorded in the office of the commissioner of the general land office.

SEC. 3. *And be it further enacted*, That immediately after the said thirty-six sections of land shall be surveyed and located in the manner prescribed in the first section of this act, it shall be the duty of the Secretary of the Treasury to cause the said thirty-six sections to be divided into equal parts among the said two hundred and thirty-five Poles, by lot, under such regulations as the said Secretary may prescribe.

SEC. 4. *And be it further enacted*, That it shall be lawful for each and every of the said grantees to enter upon and take possession of the respective lots of land assigned to them and each of them; and, after the expiration of ten years, the said grantees, respectively, shall be entitled to a patent for the lot of land assigned to them as aforesaid: *Provided*, That the said grantees shall, during the said term of ten years, without intermission, actually inhabit and cultivate the said township of land in the ratio of one settlement for every five hundred acres thereof; and, on due proof of such habitation and cultivation to the Secretary of the Treasury, and of the payment into the proper land office of the minimum price per acre, at the time of such payment, within the said term of ten years, patents shall be granted as aforesaid, and not otherwise.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

Thirty-six sections of land in Illinois or Michigan granted to Polish exiles.

Names of the grantees to be recorded in the general land office.

Land to be divided by lot, in equal portions.

Ten years' occupancy to entitle to patent.

Proviso.

RESOLUTIONS.

I. RESOLUTION *providing for the distribution of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three, to the fourth of March, seventeen hundred and eighty-nine.*

June 19, 1834.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the copies of the "Selection of the Diplomatic Correspondence of the United States, between the peace of seventeen hundred and eighty-three, and the fourth of March, seventeen hundred and eighty-nine," published in virtue of an act of the fifth of May, eighteen hundred and thirty-two, in continuation of the Diplomatic Correspondence of the Revolution, be distributed and disposed of,

Library committee to distribute copies of Diplomatic Correspondence.

1832, ch. 74.

under the direction of the joint library committee, in manner following, viz :

To each person who received a copy of the Diplomatic Correspondence of the Revolution, and who shall apply to the clerk of the House of Representatives, for the continuation of the same, one copy ;

To the library of each institution, to which a copy of the Diplomatic Correspondence of the Revolution was sent, one copy ;

To Jared Sparks, editor of the Diplomatic Correspondence of the Revolution, one copy ;

To Edward Livingston, under whose direction, as Secretary of State, the selection aforesaid was made, one copy.

SEC. 2. *And be it further resolved*, That twenty-five copies of the work aforesaid, and of any other work or works printed by order, or at the expense of the United States, shall be placed at the disposition of the joint library committee, to be by them disposed of, in return for donations to the library of Congress.

APPROVED, June 19, 1834.

June 19, 1834.

II. RESOLUTION for distributing returns of the last census.

Librarian to deliver two copies of census to each member of the present, who was not a member of last Congress.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the librarian of Congress be authorized to deliver to each member of the present Congress, who was not a member of the last Congress, two copies of the return of the last census of the inhabitants of the United States, and that it may be lawful for the said members to transmit the said copies, free of postage, by mail.

APPROVED, June 19, 1834.

June 25, 1834.

III. RESOLUTION giving the right of way through the property of the United States at Harper's Ferry, to the Winchester and Potomac Railroad Company.

Grant of the right of way, and restriction of its use.

Post, p. 792.

Proviso.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States of America be, and he is hereby, authorized to convey to the Winchester and Potomac Railroad Company, free of charge, the right of way through the property held by the United States at Harper's Ferry, (and at present not improved,) if, in his opinion, it should not be inconsistent with the public service ; and, also, on the same terms, so much of the ground between the arsenal and the Shenandoah river, and near its junction with the Potomac, as may be deemed consistent with the public interest : to be used for the benefit of the said company in the deposit and accommodation of the trade of said Winchester and Potomac Railroad Company only, and for no other purpose whatever : *Provided, nevertheless*, That the said railroad shall be so located, in the judgment of two or more skilful engineers of the army of the United States, who may be deputed by the President of the United States to make such location, as not to impede or injure, in any manner, the future improvement of the navigation of the river Shenandoah by a lock and dam navigation, or by extending a canal along the left bank thereof, to the river Potomac, or to the canal now constructed along the left bank of the said river.

APPROVED, June 25, 1834.

IV. RESOLUTION *manifesting the sensibility of the two houses of Congress, and of the nation, on the occasion of the decease of General La Fayette.*

June 26, 1834.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the two houses of Congress have received, with the profoundest sensibility, intelligence of the death of General La Fayette, the friend of the United States, the friend of Washington, and the friend of liberty.

Death of General La Fayette.

2. *And be it further resolved, That the sacrifices and efforts of this illustrious person, in the cause of our country, during her struggle for independence, and the affectionate interest which he has at all times manifested for the success of her political institutions, claim from the government and people of the United States, an expression of condolence for his loss, veneration for his virtues, and gratitude for his services.*

3. *And be it further resolved, That the President of the United States be requested to address, together with a copy of the above resolutions, a letter to George Washington La Fayette, and the other members of his family, assuring them of the condolence of this whole nation in their irreparable bereavement.*

4. *And be it further resolved, That the members of the two houses of Congress will wear a badge of mourning for thirty days, and that it be recommended to the people of the United States to wear a similar badge for the same period.*

5. *And be it further resolved, That the halls of the houses be dressed in mourning for the residue of the session.*

6. *And be it further resolved, That John Quincy Adams be requested to deliver an oration on the life and character of General La Fayette, before the two houses of Congress at the next session.*

APPROVED, June 26, 1834.